

STAFFORD COUNTY PLANNING COMMISSION
March 27, 2019

The meeting of the Stafford County Planning Commission of Wednesday, March 27, 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, Mike Zuraf, Eva Campbell, Andrea Hornung, Amy Taylor, Susan Blackburn, LeAnn Ennis, Natalie Doolittle, Jason Towery

DECLARATIONS OF DISQUALIFICATION

Ms. Vanuch: Now is the time for any declarations of disqualification or disclosure from any members of the Commission on any item on the agenda this evening.

Mr. Apicella: Madam Chairman?

Ms. Vanuch: Commissioner Apicella?

Mr. Apicella: I'm recusing myself from item 3, the Willow Run project. It appears that at least one of the applicants, co-applicants, has a family relationship with a builder currently constructing homes in my subdivision and adjacent to my property line. And while I do not have a direct financial or business interest with this builder, his family, or any of his other business relationships, and though I believe I could objectively participate in this matter, despite these circumstances, out of abundance of caution and propriety I believe it's best that I recuse myself from this item.

Ms. Vanuch: Thank you Mr. Apicella. Anyone else?

Mr. English: Ms. Chairman, I did meet with Mr. Stuart in reference to the Willow Run and also Mr. Hornung in reference to Greenbank.

Ms. Vanuch: Okay. Anyone else? Mr. Bain?

Mr. Bain: Yes, Madam Chairman, I also met with representatives for the Villages of Greenbank and Rappahannock Landing Apartments; however, that was prior to last month's meeting. I have not spoken to them since then.

Ms. Vanuch: Okay. Anyone else? Okay.

Mr. Boswell: Madam Chair?

Ms. Vanuch: Mr. Boswell.

Mr. Boswell: I'd like to make a motion to move item 9 to item 1, if possible.

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Ms. Vanuch: Okay, so there's a motion on the floor to reorganize the agenda this evening, to move item number 9, under New Business... yeah, under New Business, to item number 1 on the agenda. Do we have a second?

Mr. English: I second it.

Ms. Vanuch: Okay, so we have a motion and a second; any discussion from anyone? Okay. The only point I'll make is that the only reason we're making this change is staff has a personal conflict and needed to get out of here at a decent hour this evening, and so we're making that change for her. Okay, go ahead and vote. Okay, motion carries 7-0. Now we're going to move on to the public presentations portion of this afternoon's meeting. So, at this point, if anyone would like to come down to the podium, you can speak about any item that you want to except for any item that's on the public hearing list for... on the agenda. So, if you're here for Willow Run, Rappahannock Landing, Villages of Greenbank, or any of the public hearings, you can't talk about those issues right now. So you can come and talk about anything broadly that you'd like to at this point. You'll come down and state your name, address, and the district that you reside for the record. When the green light comes on, you'll have 3 minutes. When the yellow light comes on, you have 1 minute. And when the red light comes on, you have to conclude your comments. Would anyone like to come down and speak to us generally? I knew Mr. Waldowski was coming.

PUBLIC PRESENTATIONS

Mr. Waldowski: Paul Waldowski, and my house is in the gerrymandered Rock Hill District, and my rental is in the other gerrymandered district called Griffis-Widewater, because I'm on the other side of I-95. I am on the 2021 gerrymandering committee. I have shared with them what a venn diagram is. I will be teaching all the Boards some neat mathematical things that the Justice Department demands that you do when you get the population in 2020; so you just don't divide by 7 and say, there's 7 of you. And there's only 5 high schools. And yesterday I saw two high school members give that 152 pound wrestler, who I would love to send to Oklahoma State University... that's where the Hall of Fame of Wrestling is... that's where T. Boone Pickens is not too far away... but the two School Board members who were up there -- I was really nice, I didn't go after the Board -- they're not... North Stafford High School is in the Rock Hill District. Now, why would a Griffis-Widewater Board member and a Garrisonville Board member be representing the Rock Hill District? I know why -- because common sense is not common in the Commonwealth. Alright, my real motive today is to educate you about what are called anchor stores. Most people know that I am anti-development, but I do like redevelopment. My father spent his career doing remodeling after he built his own house. But redevelopment is based off a very important principle, especially in the 21st century. It's based off of an anchor store. If you saw the people in Long Island, how the socialists got rid of Amazon, now that is an anchor store. Now, bringing Harris Teeter to Stafford County is a big mistake, especially when the 21st century grocery store is Wegman's, if you really want a grocery store. But you have the Ikeas, the Legos, those are the other aspects that bring in jobs and aspects. Now, I know you're all waiting on your theater to come. I hope you get your Uber driver because there'll be no parking. But we'll see, okay? And I've named the 57 acres the Pence Fence because I'm a stormwater management guru. And 2018 proved that we truly live in the Chesapeake Bay Watershed.

Ms. Vanuch: Thank you Mr. Waldowski. Would anyone else like to come down and address the Commission? Okay, seeing no one, I'll close the public presentation portion of tonight's meeting, and we're going to move on to item number 9 on the agenda, which is going to be presented by Ms. Natalie Doolittle for Potomac Point... Potomac Vineyards LLC. Go ahead, Ms. Doolittle.

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9. WAI19152682; Potomac Vineyards LLC - A waiver request of the Subdivision Ordinance, Stafford County Code, Sec. 22-143(a), "Shape and elongation," for Tax Map Parcel No. 31-88E. The owner is requesting a boundary line adjustment with adjacent parcel 22-57A, which will result in Tax Map Parcel No. 31-88E exceeding the maximum lot depth to width ratio. The property is zoned A-1, Agricultural Zoning District, and is located on the east side of Decatur Road and north of Brent Point Road, within the Griffis-Widewater Election District. **(Time Limit: May 26, 2019)**

Ms. Doolittle: Good evening Madam Chairman and members of the Commission. Item number 9 is a waiver request for Section 22-143(a), Shape and elongation, of the Subdivision Ordinance, requested by Potomac Vineyards LLC. The waiver is for Assessor's Parcel 31-88E. The proposed size of the parcel after a boundary line adjustment will be 22.7101 acres, zoned A-1, Agricultural, located within the Griffis-Widewater Election District, on the east side of Decatur Road and north of Brent Point Road. Here is a location map showing parcel 31-88E and adjacent parcel 22-57A. Parcel 31-88E is currently the home of Potomac Point Winery, and parcel 22-57A is 974 acres of vacant land owned by Potomac Stafford Land Company, LLC. Here's an aerial view of the winery parcel. The parcel line at the rear of the building, where the star is, is the one proposed to be adjusted with the adjacent parcel. The applicant is seeking a boundary line adjustment with adjacent parcel 22-57A to acquire 10 acres in order to expand his winery business. Section 22-143(a) of the Subdivision Ordinance states that, "the depth of a lot shall not exceed five (5) times its width." The width is the horizontal distance between the side lot lines measured at the front building line. The depth of the lot is calculated by adding the length of all the side lot lines and dividing by 2. The existing parcel does not currently meet the lot shape ratio requirement. If the boundary lines are adjusted, the new parcel layout would make the lot shape ratio worse. Here's the proposed boundary line adjustment plat showing the existing property line to be vacated and the new property lines to be created in order to acquire the additional 10 acres. The applicant formally requests that the Stafford County Planning Commission consider the waiver request from Section 22-143(a), Shape and elongation. Section 22-241(a) of the Subdivision Ordinance specifies that criteria must be met in order for a waiver to be granted by the Planning Commission. It states, "Where permitted, one or more of the minimum requirements established under this chapter may be waived by the planning commission, upon assurance of the subdivider that each of the following have been met: (1) The minimum requirement, if applied to the proposed subdivision, would impose an unreasonable burden upon the subdivider. (2) The granting of such a waiver will have no substantially adverse effect on the future resident of the proposed subdivision, nor upon any property adjoining such proposed subdivision." Approving this waiver would only impact the current property owners of the two parcels involved in the boundary line adjustment. And this concludes my presentation.

Ms. Vanuch: Thank you Ms. Doolittle. Mr. Bain, go ahead.

Mr. Bain: Yes, could you go back to that graphic showing the boundary lines? With an odd shaped parcel like this, could you mark on the computer which lines constituted side lots versus front or rear lots?

Ms. Doolittle: For the new parcel?

Mr. Bain: Well, both. Initially for the existing parcel and then for the new parcel.

Ms. Doolittle: Okay, for the existing parcel, this is the front...

Ms. Vanuch: It's not drawing.

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Ms. Doolittle: ... is it going now? And then the rear, because it comes to a point in the back, you draw a 10-foot imaginary line in the back to just to the rear. So, all the rest are actually sides except for the front. And then, for the new proposed parcel, the same front and then this one is the rear, because you can only have one rear line and it needs to be approximately parallel to the front parcel line and the farthest away.

Mr. Bain: Why would it not be both of those lines coming down to the boundary?

Ms. Doolittle: The code actually says that it needs to... it can only have one rear line.

Mr. Bain: One segment.

Ms. Doolittle: One segment, yeah.

Mr. Bain: I see, okay. Hmm.

Ms. Doolittle: Correct.

Mr. Bain: Alright, I've never seen that calculation done before. I was just curious. Thank you.

Ms. Doolittle: You're welcome.

Ms. Vanuch: Any other questions for Ms. Doolittle? Okay, thank you. Would the applicant like to come up and speak to the Commission?

Mr. Causey: Yes, Skip Causey. Chairman Vanuch, Commissioner Boswell, and fellow Commission members and Natalie, thank you for the presentation. Potomac Point Winery had a very good year in 2018. We had record sales on wine, food, and some events. We are now currently have 10 full-time employees and over 44 part-timers, not counting seasonal. We have right now we're over a million dollars in payroll that we have with our employees. We have averaged 14% growth in the last 14, 13 years. But right now... and also, we are celebrating we won one of the Governor's Case with our Cab Franc, one of the top 12 wines in Virginia of 100% Virginia fruit. So, we had definitely some very good things, but we are at a restriction right now. We've maxed out what we can do with our 13 acre parcel. We have been 5 years negotiating to try to get an add-on parcel and finally got it done. If anybody understands who the owner of Potomac Stafford Lands, you may understand why. With this 10 acres behind the winery, we're looking to increase our drainfield, increase our parking, increase the vineyard. We are looking at area for increasing the grounds for people to come in and enjoy and hang out, fire pits, a pond, VIP club areas. We're trying to increase the 13 acres to a full almost 23 acres. We outlined the parcel to take advantage of the topo at hand. We tried to... if anybody knows the Widewater area, nothing is flat. It is a little bit hard to get a vineyard on there, but vineyards are supposed to be on a hill, right? Well, we got that in abundance. So, we did take a look at that parcel. I even worked with Natalie to try to see if we can straighten out those two parcels into one, and it still didn't work. And it was because of the way that you add up, again, all the side lines. And if... so we actually worked very hard to get that in. Oh, by the way, with the clearing that has been done out in Widewater, you can now officially see the Potomac River from Potomac Point Winery, if you go up in the tower that we have. So, how do I get to the next slide? Here? Oh, there you go. With these, too, you can see that we took what was initially a very long, skinny parcel that was basically the smallest part was the entrance. We only had one little parcel of our original piece that touched Decatur Road to get access. As we looked into increasing and working on the BLA, we were just trying to take the main piece that's beyond the piece in the back and increase the width, basically doubling the width of this whole parcel. Never

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thought about the 5:1 ratio coming into effect for several reasons; one, we're taking a narrow lot and trying to increase it into a parcel or farm that is twice as wide. We're actually adding, not subdividing. The code definitely had areas in there that very clearly called that a BLA or an addition did not have the 5:1 ratio applied. But I know I've been working with Natalie diligently and she's helped me a long way; there are certain parts that tied her hand. This is definitely not what I consider a subdivision; it is definitely a parcel that I'm trying to increase; I'm not subdividing. We are a farm winery. In 2007, we created what we found out was a first active farm being created in Stafford County in over 20 years. We are currently farming our property. We do have over 5 acres of grapes and looking to add at least 3 to 5 more. We're currently... we're not creating any smaller lots, we're actually increasing. We are trying to increase our by-right farm in the A-1 zoning. We have no street frontage on this new parcel; this is literally just to add on to what we have. I couldn't add access to that parcel at all if I wanted to. I'm trying to grow our winery, increase our size, and, yes, with that pay more taxes. And of course, tax day is coming up soon. But, the expansion of the winery comes... actually I am looking to grow and build and do this work. I've been in home building for 36 years. I'm actually retiring in 2 weeks so that I can help my wife with our initial dream of building this winery, creating the vineyard, and making it one of the best attractions in Stafford County that we can build. I have no intention of building any residential homes. I did that for 36 years; I'm done. I want to make more wine and I want to grow some grapes. In fact, I already have my eye set on the next 10 acres behind this, if I can negotiate it -- just don't tell my wife I have that planned because she will shoot me.

Ms. Vanuch: I hope she's not watching.

Mr. Causey: Hopefully she's not. I wanted to address this last, to follow-up and to close, the 3 items that Natalie had pointed out; an unreasonable burden on the owner. I tried several ways by trying to straighten out that back parcel to get it long enough to be able to overcome the ratio. It puts me way down in a ravine and I either have to increase the amount I'm going to pay for that parcel, because it is by the acre I'm paying, or... and but basically it makes it worthless. That back area is worthless. So it is a huge burden on us. The adverse effect on future residents -- there are no future residents. We're a farm. We're increasing our farm. I'm not subdividing anything. And the adjoining property owners, as Natalie said, we're it. It's just the two of us. There's a huge parcel that I'm just taking a little chunk out of there, so there is no other... I only have one other neighbor to the other side that it doesn't affect him at all. He has another 14 acres so. I'll open any questions and I thank you for your time.

Ms. Vanuch: Thank you Mr. Causey. Does anyone have any questions?

Mr. Randall: Madam Chair?

Ms. Vanuch: Sure.

Mr. Randall: If you'll go back to your picture, where is that 10 acres associated with this? Is it just behind it with all the big... where all the woods are?

Mr. Causey: If I can go here. You see the building is drawn and the outline in the original, so yes, it's the whole... all those woods, which most of the veg has been clear cut already. But yes, most of the woods behind there, from the field and behind the winery, and a portion behind the barn.

Mr. Randall: And your plan is to... your plan is to level the trees and farm that whole 10 acres?

Mr. Causey: Well, of the 10 acres, 7 has already been clear cut by the owner of the property, the 900 acres. But yes, I do plan to level out just with the stumps and things, the top area. The backside of the

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vineyard there is an added drainfield. And we do have some parking. That's our biggest limitation right now; on Saturday I can't get more park... I need more parking.

Mr. Randall: Alright.

Mr. Causey: But the... behind the barn and the winery is where the grapes will go up on a hill.

Ms. Vanuch: Any questions to my right? Any questions on my left? Okay, thank you.

Mr. Causey: Thank you for your time.

Ms. Vanuch: Okay, Mr. Boswell, this is in your district. What would you like to do?

Mr. Boswell: Thank you Madam Chair. I'd like to move to approve item WAI19152682.

Ms. Vanuch: Okay, so the motion on the floor to approve the waiver request.

Mr. McPherson: Second.

Ms. Vanuch: Okay. So, we have a motion by Commissioner Boswell, a second by Commissioner McPherson; any comments Mr. Boswell? Mr. McPherson? Anyone else on the Commission? Alright, go ahead and vote. Okay, motion carries 7-0. Thank you very much. Thanks Ms. Doolittle. Okay, so now we're going to move onto the Public Hearing portion of tonight's meeting, so we're going to have item number 1 on the agenda, which is a Reclassification of the Villages at Greenbank Proffer Amendment, and for this we recognize Mr. Brian Geouge.

PUBLIC HEARINGS

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

Mr. Geouge: Good evening Madam Chairman, members of the Commission, Brian Geouge with the Planning and Zoning Department. This is the Villages at Greenbank Proffer Amendment. This has been discussed a number of times before and full information is available online, so I'm going to keep this presentation at a very high level. The request is to amend proffers in the RBC, Recreational Business Campus Zoning District, to allow an 1,177-unit retirement housing development. The parcels are 44W-H and 52-1, with a total area of 441.67 acres. The applicant and agent is Silver Companies and Chris Hornung. The owner is Silver Celebrate Golf LLC. Just a quick update on this application -- this was previously heard at public hearings on December 19th and February 27th. In January 2019, the Planning Commission reviewed and made changes to the concurrent RBC Ordinance amendment request and, as part of that, they reduced maximum retirement district area from 47% to 35%. And this has implications for this proffer amendment request, so the applicant is currently working on revisions in response to those ordinance changes. On March 5th, the Board did approve a 120 day extension for the proffer amendment and concurrent ordinance amendment to provide the applicant and Planning Commission time to work through the changes. I will note that I did receive some updated information from the

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applicant today, and that's included in your hand-outs tonight. I didn't have time to really go through that and incorporate it in the presentation, so I'll leave discussion of that to the applicant with they come up and make their presentation. The property is located at the southern terminus of Celebrate Virginia Parkway. A portion of the northern property boundary also follows Scott's Ford Lane. The property is... the southern portion of a 1,200-acre tract shown here in purple shading and that's the RBC zoned area which was rezoned by the Board of Supervisors back in 1999. On this portion of the property there are currently no proffers. So, this is what has been formally submitted to the County to date. This is the proposal to change the preliminary concept plan, shown here, from what's currently shown on the left, to what is proposed on the right. So, the applicant is proposing to change the existing retirement land use pod. Portions of it are under conservation easement. They are proposing to change that to conservation land use pods, so it would be a creation of a new pod. And then shifting then the approximately 87 acres of retirement housing district down to the southern end where it could be developed with additional retirement housing. And also expand the retirement housing district further to occupy roughly 47% of the total district acreage, where now roughly it's just under 30% of the total district acreage. Here is the Generalized Development Plan depicting the proposed 1,177 age-restricted units. The project would be developed in three villages, each containing a mix of units; in total there'd be 236 detached, 588 duplex, and 353 townhome units. A primary access road would extend through the property through two roundabouts, and an additional access point would be provided on Scott's Ford Lane, up here. Several recreation amenities are proposed, including a 66-acre park at the south end, a Civil War interpretive park, and three internal village greens with additional recreational amenities. Staff notes the positives with this proposal is it is consistent with the land use recommendations in the Comp Plan for residential uses; consistent with established development patterns; park amenities would provide opportunities for additional recreation and historical cultural interpretation; proffered improvements to Celebrate Virginia Parkway at Banks Ford intersection are consistent with VDOT recommendations - they're proposing to construct a traffic circle in that location to improve safety; and proffered improvements, amenities, and monetary contributions have helped offset impacts. And we note the negatives are this would result in less land for potential recreational or commercial uses, which is inconsistent with the original vision for the RBC District; Utilities concerns have not been fully addressed yet - there were some concerns about impacts on downstream facilities, sewage facilities such as pump stations, as the Water and Sewer Master Plan envisioned only about 800 additional units in this area; and monetary proffers are below guideline recommendations. Finally, staff is recommending deferral of this to provide the applicant additional time to revise their application in response to the changes that were made to the Ordinance, and the extended time limit is July 27th. And this concludes my presentation.

Ms. Vanuch: Thank you Mr. Geouge. Any questions for Mr. Geouge? Okay, thank you. Would the applicant like to come up and address the Commission?

Mr. Hornung: Good evening. My name is Chris Hornung; I'm Vice President of Development for Rappahannock Development Group. I'm here tonight on behalf of the applicant. From our last meeting, we talked a little bit about the impact of capping the percentage of age-restricted retirement development at 35%. When that vote was taken in January, there wasn't a whole lot of information showing what that impact would be on the number of units. So, I wanted to share that with you tonight, and also to request and in support of staff's recommendation of a deferral so that we have more time to work with staff, and members of the Commission, to try to come up with a solution that works. I also want to be respectful of your time because I know you most likely are going to have a long evening tonight, so I want to try to move through this relatively quickly. When we originally proposed the expansion of additional age-restricted on this piece of property, it was with the understanding that age-restricted retirement is one of the most positive economic development land uses that a jurisdiction can have. This is just a graph we put together that, in basic terms, shows that as people age the revenues that they

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generate for the County goes through kind of a bell curve. When you're young, your parents might spend money on you and you have sales tax and meals tax. As you get older and you start buying a house and a car and your spending goes up and you have a family, so do the revenues that you generate for a jurisdiction. But then over time, as you age out, your children move, you downsize, typically that drops as you go on, as you age. At the same time, potential cost of services of an individual resident of the County sort of peaks when you're a child because the number one cost that you have in this County is educating children. This chart, if you look at the bottom, it sort of drops as you get into early parenthood and late parenthood. There's a little bit of double counting there because as you get older you typically have a tendency to have children. So, you know, that family unit as you get older has more of a cost in services for Parks and Rec and for schools, which, like I said, are your highest... highest County costs. The net of that, if you look at it sort of combining the revenues and expense is that there's sort of a sweet spot of time for a resident where they generate far more money to a jurisdiction in taxes and a cost in services. And that's when you get to the empty nester stage, where typically in the County are in the same home or they're downsizing, they're paying real estate taxes, they're paying sales tax, but they don't have children and they have a lower demand on services. According to the Weldon Cooper Center, Stafford County's demographics are going to go through a bit of a shift over the next 20 years. The retirement 65+ age group is expected to increase from 11.8% to 16% of the County's residents. And at the same time, you're 0-18 level is expected to level out, as far as a percentage. You also have a decrease in young adults, and that's taken directly from the Weldon Cooper study that was put out a couple years ago. As far as the population increases, if you look at the retirement age group, it's expected in the next 20 years to increase by 88.3%; that's far higher than any other group that you have. The one that's closest then is... would be kids, 0-18, which is expected to go from around 43,000 to 58,000 over the next 20 years. Again, that's from the Weldon Cooper Center for Public Service. When we proposed the age-restricted community, not only were we concerned about, you know, what the project would look like, but the fact that in order to make a successful project, it had to have the amenities that you needed to attract age-restricted retirement residents. Communities nowadays are really kind of going out to attract these folks more aggressively. There are communities that are doing all sorts of things that are designed around the experience, around lifestyle, and that's what we were proposing as part of our original project. The project was going to be highly walkable, lots of amenities, large clubhouse; very similar to the Celebrate by Del Webb, but also surrounded by natural open spaces, community parks, walking trails to the river, the things that would be needed in order to... to attract residents to this area and to keep residents in Stafford County as they age. This was the original... this is the current RBC preliminary concept plan that is of record. And, as Brian pointed out, you have the existing area of age-restricted retirement that's in the center of the project, which is the Celebrate by Del Webb project, and the balance down near the bottom that we're talking about is Pod G, as shown as the resort district. That resort district is 635 acres; but approximately 300 acres of that is existing conservation easements. Now, if you look at what we were originally proposing, this is kind of the proposed modification that Brian talked about. It shifts most of that resort area to age-restricted retirement and to conservation. And it was basically creating 200 net new acres of retirement units... of retirement land which would allow the 1,177 units. This was the preliminary of the generalized development plan for that 1,177 units. The next slide kind of shows what happens when you go to 35%. This is a modification to 35%. What that does, the area in I guess that's kind of a purple/pink, fuchsia, is reduced relatively significantly. It goes down by I believe the total is somewhere 120-acre reduction in the total amount of the land area of the proposed project. It leaves a larger sort of green pod down there that would be in the resort district which would allow offices, recreational... some types of recreational amenities, flex office space, and others, and some industrial. This is what happens with that development plan as you go from the 47% to the 30%. We calculate... it's off by 1 but we calculated a slightly higher density was originally proposed; you would go from 1,177 units down to about 532 units. If you were to take that to 40%, that is what this exhibit shows. It would add another 60 net acres of retirement land, taking you to 120 net acres above and, according to our computations using about the

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same density, you'd end up with around 792 units. Now, from what I understood in our previous meetings, one of the main concerns was the total number of units. And that was one of the reasons why there was a request or a desire to limit to 35%. One of the challenges with that is that changing the 35% requires an ordinance amendment. Our feeling is that if we were able to establish, or the Planning Commission and the Board willing to approve a 40% level, the total number of units could be limited by proffer, if the number of units was the real concern. As you start reducing the land area, then it increases the density. And by increasing the density and decreasing the land area, it has consequences not just for the project but also for County revenues, which I'll show you here. So, these were the scenarios I showed you. In scenario 1, the original plan was 47%, 1,177. Alternative 2, which was the 35% plan, 531 units. And alternative 3, which was the 40% with 792 units at buildout. We have seen in the County that there's two primary age-restricted retirement communities in the County. One is Falls Run by Del Webb, which is near England Run. Falls Run has significantly fewer or a much smaller scale amenities than the Del Webb project. The assessed value of that project, the average assessed value that we studied across that project, with that level of amenities is around \$115 a square foot for roughly a comparable home. However, at Celebrate, which is a newer product, the per square foot but with much more amenities, much greater amenities, more programs, more courts, more... a larger pool, larger outdoor activities, hiking trails, the average assessed value is \$152 per square foot. And the driver for that is it's a more attractive community for you to live in, so the home prices are... have gone up beyond what they had in the Falls Run project. When we run the analysis of the three scenarios I talked about, we look at the original net annual revenue that we projected for this project at \$4.3 million a year; if you drop it to the 35%, that County revenue drops to about \$1.75 million a year. If you take it to 40%, the County net revenue, and again, that's net of expenses, that number is \$2.6 million a year. That's money that's surplus every year that can go towards schools, fire and rescue operations, all of those things. The other big impact is that as you decrease the size of the development, it decreases the number of... the amount of services and the amenities that you can produce. There's only so much you can do that it's not a linear sort of reduction. So, what ends up happening is your annual cost to maintain that is by the homeowners goes up as you decrease the size of the project. You can scale back your amenities to some degree, but you can't scale them back necessarily linearly with the number of units. What we're projecting is there's going to be about a 25 to 30% increase in HOA costs by going with a smaller project.

Mr. Randall: Madam Chair, I have a quick question. Is that monthly?

Mr. Hornung: That's monthly, yes.

Mr. Randall: That's a monthly...

Mr. Hornung: And my understanding that 270/280 is comparable to what existing retirement communities are paying on a monthly basis.

Mr. Randall: What does that entail? What does that cover?

Mr. Hornung: It covers the oper... it covers the ongoing costs of all the amenities and the programs associated with it. So, it would include mowing of grass, it would include the utilities and the upkeep of the clubhouse, it would include the support staff that does all of the programs, trips, and activities, it would include upkeep of all the additional amenities such as the courts, the pools, all of those things are all included in that... in that overall cost. There's probably many more, but that's just a... to kind of summarize that.

Mr. Randall: That's one pool, right? You don't expect more than 1 pool.

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Mr. Hornung: We were actually thinking we would have an indoor pool and an outdoor pool similar to what Del Webb has.

Mr. Randall: Okay. Alright, thank you.

Mr. Hornung: And this is the same thing for annual; roughly about \$3,300 a year is what residents typically or currently are paying in, my understanding, Celebrate by Del Webb. I had submitted a letter to you requesting a deferral of this. We're also... wanted to let you know that ultimately what we come back with will likely entail a request to reconsider the RBC Ordinance at the 40% level. What we're showing here is what we would like for you all to consider. We understand that you had advertised it at 35; we think we can create a much better project, a much better product, and that both the County and the project will benefit from that. This is what that project would entail. We're looking at roughly about 792 units on... actually, I guess the total acreage at that point would be around 100... about 200 acres, 180 acres. Understanding that there may be reluctance to approve that many units, we're also willing to consider a cap as part of the zoning so that the zoning might be capped at a certain number of units, whatever the County may be comfortable with, but it would still be the 40% land area so that we wouldn't have to come back at a later date for another ordinance amendment if the County felt that additional age-restricted retirement was a good thing for the County. We could come back with a proffer amendment, have the same process, but not have to couple it with another ordinance amendment requesting to move that percentage.

Mr. English: Chris, I have one question for you.

Mr. Hornung: Yes sir.

Mr. English: In Celebrate Virginia right now and Del Webb, you didn't get any push-back from anybody in there for this?

Mr. Hornung: We met with the Del Webb community a number of times. We've met with representatives of theirs. There was concern about traffic, in particular, the intersection of Banks Ford and Celebrate Virginia Parkway which we've proposed the roundabout solution.

Mr. English: I see that, yeah.

Mr. Hornung: There was also concern about the potential closure of the Greenbank to Celebrate Virginia connection, which is something that is not part of this action; it's something that was agreed to many years ago and that we're trying to phase so it doesn't impact people. But I can't speak for that community. There may be representatives here but, in general, we didn't receive a huge outcry against it. It felt like it was a comparable land use and made their development feel like the residential project they wanted it to be versus trying to mix industrial and office uses in with that community.

Mr. English: Understood. Thank you.

Ms. Vanuch: Mr. Bain?

Mr. Bain: Yes, thank you Madam Chairman. Mr. Hornung, could you put up that last slide again, it that's possible? You had shown some information about reduction in tax revenue. But I'm wondering, the area that remains kind of an olive green on the west side of your proposed age-restricted development, that could be developed...

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Mr. Hornung: It could be.

Mr. Bain: ... for commercial or office and could generate actually significantly more tax revenue on a per square-foot basis than the retirement housing, I suspect. So, the loss in tax revenues to me is really not as stark as you have presented it. Do you have any plans for that area at this point?

Mr. Hornung: No. Our vision, we've been trying to put offices there for years and there's no market for that. And we've provided documentation from area real estate agents saying that that is not the proper...

Mr. Bain: But the economy is going great...

Mr. Hornung: It's been since '99; it's been 20 years.

Mr. Bain: ... America's going to be great again so that opportunity is still there whether you pursue it or not. So, I think the reduction in taxes is really not a significant point.

Mr. Hornung: Can I respond to that? If you look at GEICO, for example, and you calculate the taxes generated per acre, or per square-foot for GEICO, you'll find that age-restricted retirement generates more tax revenue than a GEICO does. It's generates...

Mr. Bain: But there's also the income tax revenue for the personal properties of the employees that has to be considered in the whole mix of things. So, I don't think tax revenue should be an issue on this. Then the statements you were making about the amenities, to a great extent the amenities you provide are totally dependent on the amount of money the developer wants to invest in the project. They weigh the amount of money and the types of amenities with the potential for residents to come in and buy or rent their facilities. It also has an impact on the, I don't know exactly the term, the class of people that would come, high income versus medium income. None of these are going to be low income units. So, I think, to a certain extent, the issue about amenities and the reduction in the types is really dependent on how much your client is intending to invest so. Those are just some comments I had. Thank you.

Ms. Vanuch: Go ahead.

Mr. Hornung: Well, I will respond that the amenities, the number of units, the cost to construct, and the final selling price are all tied together. So, you know, the statement of if you were to provide more amenities, you could just do that and you'd get a better project, I agree. But we're talking about economics and how that works and what can be supported with the number of units, the number of residents, not just in the initial cost but the ongoing carrying costs of those facilities. If we put in amenities to support a thousand units but only had 500 people, it'd cost twice as much to upkeep those and maintain them. So, I do agree with you; you can do a quality job, but at a small scale it's our opinion, which has been demonstrated in the County by their examples, you don't end up maintaining a higher level of assessed value and value in those homes. It's actually lower. And that's why we provided that information. But I do... I do agree with you that it is you can still provide quality amenities, and we would intend to do that, even if it were a reduced rate. We just don't think we could reach the same level as what we're originally proposing.

Ms. Vanuch: Thanks Mr. Hornung. Okay, so this is a public hearing so why don't we give you a break and let you sit down for a minute and move onto the public hearing portion. So, if you are here this evening to talk about the Villages of Greenbank, their proffer amendment, you can come down to the podium at this time. You'll have 3 minutes, same as before, when the green light comes on. When the yellow light comes on, you'll have 1 minute left. When the red light comes on please conclude your

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comments. And when you come down, please state your name, address, and the district that you reside. Anyone want to speak? Hurry! Beat him down here! Run! [Laughter]

Mr. Bates: I'm shy.

Ms. Vanuch: Go ahead.

Mr. Bates: Madam Chairman and to the Commissioners, my name is Don Bates and I live in Celebrate, okay. And one of the things in which I would invite, I don't know if all of you guys have been over to the Celebrate... has everybody? Okay, the amenities are major. I moved here from Fort Washington, Maryland, okay, and I looked at a lot of different areas, you know. The amenities drew us here. We looked at the fact that, you know, what they offered. And you can cut these places down so small that there's not enough amenities that bring the people here. A lot of people are not from this area, so you're bringing in income at... that's really at a fairly high level. We've got people from Jersey, from Northern Virginia, they're not necessarily just from this geographical area. There's so much... we have widows and widowers who are in neighborhoods in which they didn't feel comfortable. And one of the reasons, you know, they may be in Orange, New Jersey, that they move to these type of places; they can be in an area in which they feel comfortable. So, I support this. Within this room here, probably 50% of the people here could be in the plus 55, you know. I mean, I started out, myself, in a Colonial with my sons and inevitably I had a rec room which was my man cave, and it became nothing because I never went down there. It was too big. Once the kids grow up, you have, you know, you start looking at downsizing. And that's the thing that we got to kind of realize. We have spendable income, we can downsize and those are the things that which these type of communities offer. It offers a lot of security from the standpoint of the people. And one of the things that kind of scares us is the whole RBC concept. I mean, you can almost have anything here. So, you know, we like the idea and we understand that. You know, I moved from Fort Washington and they had an area that was called mix in which they told us oh no, we won't have hotels. I looked on the Potomac River. Nope, we won't have gambling. Thirty-three years, nope, nope, it's just mixed. We can do anything. Guess what happened? Gaylord; 11 others; gambling. And our Governor just recently said oh yeah, we're going to have casinos in Virginia. Oh, we're going to put them in Danville where the people are poor. That's off the beaten track of 95. What we want to see is development in which we understand. With the 1,100 houses that we have, Battlefield Estates has, and also that's good for the community and the area because of the fact that the income level and educational level is strong. That's what I have.

Ms. Vanuch: Thank you. Anyone else like to come down?

Mr. Waldowski: Add to my Guinness Book of Records the most 3-minute speeches in Stafford County. Paul Waldowski, gerrymandered Rock Hill District. Yes, I'm over 55 and you can put me in that box and you'll never get me in one of those. I'll educate you about HOAs; they're Houses of Aristocrats. And if you're gonna buy any of these, I wanted to educate you if you don't know this -- you have 72 hours to be released from the contract before you become a member of the HOA, which is a Virginia Corporation. Now, Recreation Business Campuses, you know, everyone uses RBC. Well, most of the audience doesn't know what a Recreation Business Campus is as they've only been here. And the intent is to make a Recreation Business Campus. Twenty years ago, look at how... how it's... what goes around comes around. The property was rezoned. And now I take offense to people telling me that there's age-restricted units. I love living across from those over 55 communities. Me and my two shih tzus, we just wave to them every morning. I do love the mathematics you brought; Weldon Cooper Center. Pretty good. It's one of the rare times that the bell curve really applies, but always remember the bell curve is average. So be careful of your mathematics. I don't like the 40% land use because I don't like amendments to ordinances. And, the main reason I don't like change is because those

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ordinances are in place and anytime you spend time and money trying to unravel them, we wind up with what politicians call issues. And there are no issues, they're all opportunities. But the biggest issue in the whole 17 corridor is traffic. Now, you talk about businesses? It's simple. Lidl comes to my house off Mountain View from 17. I don't even waste my time going down Enon Road, report all the potholes so the kids get to school. I just put my tip under the mat and there we go. So, welcome to the 21st century. And I know you're going to defer this so I'm going to get another chance to come back. Take care.

Ms. Vanuch: Thank you Mr. Waldowski. Would anyone else like to come down and speak on this? Mr. Carlone... Ms.?

Mrs. Carlone: Ruth Carlone. We should not be here tonight. Now, there were changes made again, so guess who gets to come back again. Also, the study that came along with the original change request by Silver, the consultant was the one that up how the RBC should be changed. This isn't the way it works. If you go ahead and you come in, you ask for a rezoning and you do it on what there is there. But you don't have your consultant convince you that there should be a change to the RBC to meet what they would like to have. This originally was a good idea. It was rather grandiose with 3 to 5 golf courses and a gondola across the river, but it did have a business component in it and that was the thing. Now, what we have now I'm not too sure -- are we at 700 or are we still at the 1,177? People over 55 do drive, okay. They do still work. And two people from the same unit can work. Traffic, as Mr. Waldowski mentioned, that's a tremendous consideration. And you ask other people from the retirement up the road here, that's one of their biggest complaints, to get out onto Route 17. Now, this should have been denied originally as it was presented to go ahead and change the RBC so they could get this through. What's gonna happen, whatever you approve just watch; it'll be set up so they can go ahead and sell it to an investor. And another thing, if this does get finally approved, they should put in the amenities first, alright. Anyway, that's about all. This should not be approved but we're gonna have to come back again. Alright, thank you.

Ms. Vanuch: Mr. Hornung, would you like to come up and... or, does anybody else want to speak, I guess, before I... okay, alright. So, we're going to go ahead and close the public hearing. Would you like to address any of the concerns?

Mr. Hornung: Yeah, just a couple of things real quick. I didn't want to be remiss and not let you know that we did take into consideration many of the comments you had in the previous meetings, and we are prepared as part of a revised proposal to look at proffers and increase proffers on things such as safety, fire and rescue. We do have info from the County related to that's helped... that will help us come back with something different on that. One of the other comments that we received was concern about the timing of amenities. And we will be more aggressive in accelerating those amenities than what we had originally proposed. That original number was in there to give some flexibility, but it is correct and Mrs. Carlone was correct; amenities up front are important and they do drive the ability to sell houses which, ultimately, is what makes the project move forward. So, with that, we will be hopefully have a chance to come back with a revised proposal and hope it's something that you all will see as a positive.

Ms. Vanuch: Mr. Randall?

Mr. Randall: I have a couple of comments and a couple of questions. We talked about the amenities before, making sure that, you know, I'm all in favor of age-restricted housing. I think it's a good thing. I'm concerned about the number of units, as we've talked about before, and I'm concerned that, you know, density, you know. The age-restricted housing, units, the places that I've been, they are far... they are few and far between for duplexes for very, very tight. They have open houses, open spaces, and

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so I'm concerned that... I mean, as far as I'm concerned, you can take all the land you want and 700 houses, right. But we limit houses by limiting land, right. That's how we do that. I would like to be able to say you can have all the land you want as long as it's only 700 units and be good with that. I'm also concerned about the proffers. Transportation. There isn't a person in here that hasn't sat in a significant amount of traffic throughout the County. It literally is talked about at every meeting, every time we have this, the Board of Supervisors meetings, regardless, right. And yet, there are no additional proffers for transportation from this development. We have a \$2,900 transportation fee that we've included, but then you get credit for that transportation fee, so it's only \$2,900. And I'm concerned that the message we send, it says if we don't take a transportation proffer, and we all know that the people here are gonna only be able to get out one way and that's to 17, and they're only gonna do... add to the traffic, that I think we'd be doing a disservice to the County by saying that we won't accept... we don't... we won't require any more additional transportation proffers other than the transportation fee that's already required. So, I did a little calculation (inaudible), and based on the guidelines, the proffer guidelines, minus the schools, obviously no school proffers, the guideline would be \$16,000 per unit. And based on the proffer that I see, it's about \$1,600. So it's about 10% of what you're proffering to us as far as public and safety, and parks and rec and those types of things; 10% of the guideline. Now, we can talk a lot about where the guideline came from, right, 2015 guideline, but it's only about 10%. And I think the County needs more good faith proffers. You talked a little bit about them. I don't disagree that some need to be raised, but I think parks and rec needs to be looked at again, I think transportation needs to be looked at again. We need to not only make sure that it's right for that area, but we need to make sure that we can help with all of the things that these units will put... the burden that they'll put on the County. And I think that it's not just 10%. And so... and then the other thing was, we talk about Del Webb, you mentioned that the last time you were here, there's no guarantee this becomes a Del Webb community, is that correct?

Mr. Hornung: That is correct.

Mr. Randall: Okay. So, whenever we're talking about Del Webb, there are many, many retirement builders out there. I'd love to be able to say we're going to guarantee it's a Del Webb, it's going to look exactly like it was right up the street, but there are no guarantees to that. So it could look completely different than Del Webb and it could be completely different than what we're expecting or what we see in the area, is that correct?

Mr. Hornung: I think what we've proposed and what we've illustrated is different than Del Webb, and I actually think it's better if you look at the proposal that we've put together. But, what we have used as far as a model to kind of give you an idea of density, level of amenities has been comparable to the Del Webb project, yes sir.

Mr. Randall: Okay, alright. Anyway, that's all I have, thank you.

Mr. Hornung: May I respond to that?

Ms. Vanuch: Yeah, you can go ahead.

Mr. Hornung: I do want to point out, and I appreciate your comments on the proffers and I did say we will make a very good faith effort to address those, I do want to point out though that the numbers that you're using in your \$16,000 is not based on a calculation of age-restricted housing. It was proposed by the County by copying the line item for multi-family onto age-restricted, and those are two entirely different types of housing types. The analysis the County ran back in 2015 when they were revising their proffers came up with a number between 3,500 and 5,000. So, I do understand, when you're

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looking at that chart, it does look like it's significantly lower. But I think County staff will tell you there was no methodology that considered age-restricted retirement in that number that you're looking at, that \$23,000 number that you're looking at. And I will provide some additional information on that to you going forward.

Ms. Vanuch: Thank you. Is that all?

Mr. Hornung: Yes ma'am.

Ms. Vanuch: Okay, thank you.

Mr. Apicella: Madam Chairman?

Ms. Vanuch: Yes.

Mr. Apicella: Just a point. When we started this conversation about potentially modifying the RBC District and this proposed project, we were comparing it based on the notion that if they stayed at 30%, there wasn't much more they could do on this parcel or set of parcels. And we indicated that, in my opinion, I can't speak for everybody, at least for the point of discussion, we were definitely more comfortable at 47%, which was 1,100/1,200 units. We were looking at a much lower number of about 400 units based on the 35%. I already see that we're above the 400 units. I think you're indicating we're now at 531, so that's kind of the floor from the applicant's perspective. And by the same token, you're saying at that number this project is not sustainable for you all. So you're trying to drive to a higher number closer to 800 and you're coming back to us saying well, we're certainly willing to discuss a cap. Well that cap is obviously above the 531 and maybe somewhere below the 7... what is it, 792? So, I already have heartburn because those numbers are higher than we already talked about just a couple months ago. Again, I can't speak to my other colleagues' concerns but all the things you heard at least from Ms. Carlone about the traffic, that was one of my points when we talked about going down to 35%; 531 units with over a thousand people, that number is going to impact Route 17 pretty significantly. So, I can't tell you what the right number is, but I have heartburn about these numbers. Again, I'm not clear about where my colleagues are on this. I think there's still some concern about where this project might be headed. Again, in the context of what can you do today if we did nothing versus what you want to do in the future; that's how I'm kind of evaluating this project. And how is what you're proposing better than if we really did nothing here. So, I'm just doing that out at ya. The second thing I would say is at the last meeting you offered, and I hope you're still gonna do it, a community meeting and that we would be invited when that happened. So, I'd ask you to do please do that when and if the time avails itself.

Mr. Hornung: Absolutely, we'll do that. We're trying to nail down exactly what the project is and it hasn't been easy and so I apologize for all these numbers and things. We are trying to find a project that meets both the percentage and the number of units that the County would be willing to accept, but also is the type of project that we have proposed, a viable positive project for the County. It's possible to do a project -- I think you had one not too long up the street for one hundred units. It's possible to do it. We just feel that that is not doing a good service to the County and proposing something, you know, that small that doesn't have the quality of life that we can provide in a larger facility... amenity driven project. Thank you.

Ms. Vanuch: Okay, thank you. Alright, Mr. English, this is in your district. What would you like to do?

Mr. English: Yes. Madam Chairman, I'll ask to defer this to... for 90 days till June 12th.

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Ms. Vanuch: Okay. I don't think that's 90 days quite but, I mean...

Mr. English: It's close to it, I think, isn't it?

Ms. Vanuch: Yeah, I think so and I think the new timeline is July 27th so we only have, I think, one meeting in June and one meeting in July. So, I would encourage the June 12th date.

Mr. English: Okay. That's what my recommendation is.

Ms. Vanuch: Okay, so we the motion on the floor to defer this item until June 12th; do we have a second?

Mr. Randall: I'll second it.

Ms. Vanuch: Okay, we have a second by Commissioner Randall. Any discussion Commissioner English?

Mr. English: No ma'am. Just new information here we just need to go over here.

Ms. Vanuch: Mr. Randall?

Mr. Randall: No ma'am.

Ms. Vanuch: Okay. Anyone else would like to comment? Okay, go ahead and vote. Okay, the motion to defer until June 12th carries 7 to 0. Now, moving on to item number 2, Reclassification for Rappahannock Landing Apartments. This presentation will be presented by Mr. Brian Geouge. Mr. Geouge?

2. 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 south of the intersection of Musselman Road and Krieger Lane, within the George Washington Election District. **(Time Limit: May 24, 2019) (History: February 13, 2019 Public Hearing Continued to March 27, 2019)**

Mr. Geouge: Good evening again Madam Chairman, members of the Commission. This is the Highlands on the Rappahannock. This was renamed; it was formerly known as Rappahannock Landing Apartments. The request is for a reclassification from the R-1, Suburban Residential Zoning District to the UD-3, Urban Development Residential Mixed Use Zoning District to develop 324 apartment units on Parcel 53-1E consisting of 25.5 acres. The owner is KS Stafford Land LLC. The applicant is Breeden Investment Properties. The agent is Charlie Payne. This is in the George Washington District. Just a quick application update -- the previous public hearing for this was held on February 13th. Public hearing comments included concerns about the Parks and Recreation Level of Service evaluation. Staff has reached out to Parks and Recreation and confirmed with them that their 2017 Utilization Plan does focus on athletic fields and not other park amenities. Also, concerns about student generation factors were expressed. Staff also reached out to public schools since they provide the student generation factors and collected some more information on how those factors were arrived at. And that was sent out to the Commissioners previously. There's concerns about noise abatement along I-95 and also traffic impacts on Musselman Road and the adjacent Rappahannock Landing development. Also,

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there's some questions about improvements to Musselman Road, and I will note I was out there recently and the widening that was mentioned before to 20 feet is actually currently under way. It looks like they're pretty far along so I don't expect that to take too much longer. And the applicant has submitted some revised materials in response to some of these concerns. The property's identified here in red outline. It was rezoned to R-1 in 1990 with proffers. It's 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 is a narrow strip of land which includes a private access road referred to as Krieger Lane. The property is adjacent to single-family detached homes to the north along Musselman Road that are zoned R-1, Suburban Residential. The R-2 zoned Rappahannock Landing townhouse development is to the east, the final phase of which is currently under construction at the south end of the development here. And adjacent to the south there's additional A-1 zoned land which is under conservation easement. This is the master plan for the development. This is just a large scale image showing the property in relation to Musselman Road. First I'll note that this map is oriented such that west is up, so Musselman Road is over here, Krieger Lane, Interstate 95, and Rappahannock Landing Section 4. So, you can see here the two primary access points are through Musselman Road and Krieger Lane, and also an inter-parcel connection into Rappahannock Landing Section 4. And this is just a zoom-in of the master plan development scheme for the property. As I said before, it includes two access points, a roundabout is proposed near the center of the property at the intersection of the two access roads. Fifteen 3-story apartment buildings are proposed totaling 324 units, of which 108 would be one bedroom, 180 two bedroom, and 36 three bedroom. A 5,300-foot 1-story clubhouse is proposed near the center along with an outdoor pool and 4 pocket parks are proposed throughout the development, generally within each cluster of apartment buildings. A master plan has been updated to include a proposed 5-foot mulch trail at the south end of the development, which would generally run through wooded or undeveloped areas at the south end. And this also depicts a 50-foot vegetative buffer along I-95 and a 35-foot buffer adjacent to the Rappahannock Landing development. As part of their resubmission, the applicant provided this exhibit referred to as Exhibit B, and it depicts additional proffered improvements which include two speed tables along the access road into the connection for Rappahannock Landing, the inter-parcel connection. So, these speed tables are proposed to try to discourage traffic from utilizing the roads within Rappahannock Landing to get to and from this proposed development as there are concerns expressed about that at the last hearing, and hopefully encourage more traffic to use Krieger Lane and Musselman Road to get back out to 17. Additional sidewalks are also being proposed, including a sidewalk connection up on Krieger Lane to Musselman Road. And this image also depicts potential future sidewalk which would be added with other projects which are currently under review. And also, as part of this project, the applicant is proposing sidewalks along Iron Casting Road, which is down here at the lower end of the screen, with crosswalks and a sidewalk along Olde Forge, which would go all the way up to Route 17. Staff notes that the proposed offsite pedestrian improvements would be considered unreasonable under the current proffer law since the need for the offsite pedestrian facilities is not solely driven by the proposed development. On public facility impacts, just a quick overview. We note that a level of service has been considered adequate for parks and recreation; transportation with the adjustment of signal timings to accommodate this development; for libraries; and for general government. We find there are level of service deficits for schools which are proposed to be mitigated with cash proffers in the amount of \$5,350 per unit; for public safety which are also proposed to be mitigated with cash proffers of \$960 per unit. The proffers for this include that developments will be in accordance with the master plan, to limit development through to 324 multi-family units; that architectural design will be in accordance with the renderings provided, which include brick and fiber cement materials for the façade; require cash contributions of a total of \$6,310 per unit, as I just outlined; and require specified recreational amenities, including a clubhouse, fitness center, swimming pool, 4 pocket parks, and within the pocket parks a dog run location and playground; and require that all construction traffic access the property through Musselman Road and Krieger Lane; require that sewer easements be provided along Krieger Lane to facilitate extension of service to existing residents; to limit

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the number of 3-bedroom units to 36; require base pavement on Krieger Lane by issuance of the first occupancy permit and surface pavement by the issuance of the last; require the 35-foot buffer along the eastern property line adjacent to Rappahannock Landing, which is in excess of the ordinance requirements; require the two speed tables along the road connecting Rappahannock Landing to the development; require the installation of sidewalks along Iron Casting Road and Olde Forge drive as shown in Exhibit B. Staff finds the positives...

Mr. Apicella: Madam Chairman, I'm sorry. Before we go away from proffers, how does the School Board's redistricting decision last night, which moves the kids from Rocky Run to Conway, impact their proffer offer?

Mr. Geouge: I don't believe it will impact it until such time that we receive updated information from schools regarding attendance based on the new attendance zones.

Mr. Apicella: So, that's already been provided, it's already been published. I'm not following you.

Mr. Geouge: Well, the proffers, as I understand, they need to be based on sort of the snapshot in time which now ran the current school year obviously. So, we would be basing the proffers on what we know now. Although they provided some approximations on the number of students based on the redistricting, we won't know exact numbers until they get their new enrollment information for those new districts. So, it could be that unless this project is deferred for quite a while until we receive that information, I believe the proffers would need to stay as they are now which is a contribution for all three schools, elementary, middle, and high.

Ms. Vanuch: Mr. Geouge, just a point of clarification on that. I thought with this proffer legislation that if at any time the school capacity changed, the developer then... or the builder would then not in the future have to pay those proffers even though they were agreed to, that they would then not be paid. Because then essentially the school would have capacity as to where they were paying for the non-capacity before.

Mr. Geouge: I can confirm with legal on this. My understanding is that it's... you have to look at current deficits, not projected deficits. So, you would look at the current situation as it is today which is the students in this area are still going to Rocky Run. That's my understanding...

Ms. Vanuch: Go ahead Mr. Apicella. That's not true.

Mr. Apicella: Yeah. That doesn't... these students are going to Conway, that decision was made yesterday. So zero amount of the... and this project obviously is not going to be built in nine months. So, I'm not following the logic trail here. If the project doesn't start to build until next year and the students have moved to a different attendance zone, how can we base the proffer on something that is not going to happen? We know it's not going to happen. In fact, I think that changed already with another project that was under consideration...

Ms. Vanuch: Mm-hmm, you're absolutely right.

Mr. Apicella: ... as it went to the Board of Supervisors. So...

Mr. Harvey: Madam Chairman and Commissioner Apicella...

Ms. Vanuch: Mr. Harvey.

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Mr. Harvey: ... I can add some commentary. We're in a transition period now from one state legislation requirement to another and July 1st there'll be a new law that'll come into effect. The current law that's in effect as of today requires us to look at the impacts who are public facilities or specifically attributable to that development project as of the date of rezoning. So, if the rezoning is approved before July 1st, we have to use the attendance zone that the children were in at the time the rezoning took place. So, there may be a little bit of a chicken and an egg kind of thing or a timing issue that would have to be further analyzed as we get closer to a Board of Supervisors public hearing.

Ms. Vanuch: I think that's Mr. Apicella's point is that the Board voted last... the School Board voted last night and now we're looking something where we know they're not going to be in that attendance zone. So that puts us in quite the conundrum because we know it's not aligned.

Mr. Harvey: Yes. As of today we're in a situation where there is a deficit in the elementary schools but it may not be the case when this issue comes before the Board of Supervisors. So at that point in time staff would have to re-evaluate their proffer as well and give guidance to the Board with regards to whether or not they could accept it or not. And maybe it'll fall under the new proffer law if timing works out, and maybe the County could accept the proffer.

Ms. Vanuch: Okay, sorry. Are you good? Okay. Do you have something Mr. Bain?

Mr. Bain: Yes I do. Can you go back one slide to the proffers? The installation of sidewalks you mentioned would be considered an unreasonable proffer. Where does that leave those sidewalks? Can the developer therefore decide not to put them in? The County can't enforce it if it's unreasonable. What's the interpretation of an unreasonable proffer that's being offered by the developer?

Mr. Geouge: Well, the way we evaluate the reasonableness of a proffer is whether or not the facility or improvement or monetary contribution is directly attributable to the development and offsets the impact of that development. In this case, with the offsite sidewalks, that would be used by a much broader community. That's why I said it's not solely driven by this proposed development. Perhaps if there was some way for them to provide a portion of the costs that could be linked to the impacts of their development for construction of that, maybe that could be considered reasonable. But constructing the whole sidewalk we do not think would be considered reasonable under the current statute.

Mr. Bain: Okay. The improvements to Musselman Road, are they being solely financed by the existing Rappahannock Landing townhouses? Or is there a contribution being provided by this developer? Because my understanding was that the Rappahannock Landing townhouses were only required to improve Musselman Road from Thomas Lane to Streamview Road, which is the entrance to their development. But now it's my understanding that the improvements are going to extend all the way down to Krieger.

Mr. Geouge: Yes. As conditions of approval for the construction plans for Rappahannock Landing, I believe sections 2 and 3, for those two sections they were required to improve the road from Thomas to...

Mr. Bain: Streamview.

Mr. Geouge: ... Streamview, thank you... to Streamview, and then for approval of Section 4 at the south end there was a condition that they improve Streamview to Krieger. So, the full improvements from Thomas all the way to Krieger are being provided through the development of the Rappahannock Landing townhomes.

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Mr. Bain: Alright. That's interesting. Thank you. I wasn't clear on that at all.

Ms. Vanuch: Go ahead Brian.

Mr. Geouge: Proposed proffers include requiring that sewer easements... I think I already said.

Mr. Bain: You've gone through that.

Mr. Geouge: So, a limited number of three... I need to get past this.

Mr. Bain: Yes.

Mr. Geouge: Okay.

Mr. Bain: That's where you were when we interrupted.

Mr. Geouge: Yeah. So, the positives with this, we find that it is consistent with land use recommendations in the Comp Plan, include density and phasing recommendations for multi-family developments within the Warrenton Road Targeted Growth Area, it's consistent with those recommendations. Proffers ensure consistency with the proposed development, including provision of park areas and recreational amenities. A significant amount of open space is proposed with this development. Mitigation of impacts to schools and public safety are considered reasonable. Building designs are consistent with the Neighborhood Design Standards Plan. And find that the negatives are the proposed density is significantly higher than the surrounding residential densities. At Rappahannock Landing, for example, I believe the density is 6 to 7 units per acre whereas here it's 12 or so. The proposed density would result in higher traffic impacts on residents along Musselman Road and within Rappahannock Landing townhome development compared to the potential development under the existing R-1 zoning. Finally, staff is generally supportive of the proposed development and recommends approval noting that proposed density is consistent with the density recommendations of the Comp Plan and the improvements underway to Musselman Road should help mitigate impacts. Staff also recommends though that the Commission not accept the proffer for their proposed offsite pedestrian improvements as it is not compliant with the current proffer law. And this concludes my presentation.

Ms. Vanuch: Thank you so much. Would the applicant like to come forward and speak?

Mr. Payne: Madam Chair, other members of the Planning Commission, my name is Charlie Payne with the law firm Hirschler and we represent the applicant. Thank you, Brian. Brian's covered much of what's happened since the last meeting pursuant to discussions with the Planning Commission. Planning Commissioner Bain was concerned about the impacts to the adjoining property development at Rappahannock Landing, and by the way we changed our name, too. Just to avoid the confusion we are now the Highlands on the Rappahannock. But Planning Commissioner Bain had suggested us looking comprehensively at some of the traffic patterns and looking at perhaps some traffic calming measures, pedestrian access, et cetera. And since our last meeting, by the way, Musselman Road is right now under construction. I have heard from a couple of neighbors because of the rain that was going on so hopefully we have addressed that. But the good news is, is those improvements are now under construction and they fixed the access at Abberley as well since our last meeting, so two for two on that front on questions. But we look at that and just in regards to the offsite improvements and whether under the current statute laws it's deemed reasonable. I've always been of the position and I think now with the new proffer... I mean, yeah, the proffer, the amendment to the proffer legislation, I have always been in the belief that as long as the applicant deemed it to be reasonable it was reasonable. We're truly

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the only arbiter of that at the end of the day, if it's accepted and/or denied. So, when we see these developments as sort of very close neighbors and very interconnected, we went to the developer to our east and we talked about the ability to provide some traffic calming measures to address those concerns and they were absolutely open to doing that. And in fact, Mr. Harvey got an email today I believe from that property owner representative in regards to being in complete agreement to doing those things. They control obviously what's within that development including pedestrian access improvements; we control Krieger Lane, so we were planning on doing that pretty much anyways. So it all kind of fit pretty well in that regard. Also, and for purposes of I think there was a question about setbacks along I-95, noise barriers, berms, et cetera, we've included again there's a note in the GDP that addresses that. Of course, under the current ordinance it's a 100-foot setback but you can mitigate that with berming and landscaping, et cetera, which we have also included in our GDP. We've also included a 35-foot buffer that Mr. Randall had asked us about to our east and keeping it as vegetated as we possibly could. So, I think we've addressed all of the open issues that the Planning Commission raised. I'm happy to answer any questions you may have and if I missed anything I'll be happy to address that as well.

Ms. Vanuch: Anyone have any questions on my left? Mr. Bain?

Mr. Payne: I'm sorry, and there's one other, I'm sorry. We put a path, we put a walking path to our south as well that connected it to the development as an additional amenity. We've identify... I'm sorry Mr. McPherson, forgot you... we identified in our proffer that we will locate a dog park and that the children's playground within one of the larger pocket parks.

Mr. McPherson: I saw that.

Ms. Vanuch: I'm impressed you don't even have any notes in front of you and you're remembering all this. I don't even remember all this.

Mr. Payne: It's been a while but it's always good to be back in Stafford County.

Ms. Vanuch: Any questions on my right over here?

Mr. Randall: I do have a couple of questions.

Ms. Vanuch: Sure.

Mr. Randall: Again, I've noticed that the proffers don't talk about anything other, for transportation anything other than the transportation fee that would normally be required.

Mr. Payne: Right.

Mr. Randall: Right. And I guess it's... I guess I'm a little concerned about that as per this is going to have an impact, especially with the traffic light changing, it's going to have an impact going through the development. There's another development just north of you. I guess if you looked at the drawing my guess is that most of the traffic that's coming from those apartments will cut through there. They won't go all the way up Musselman and any improvements to the roads that are County roads as the Board of Supervisors has looked at and they've done this specific analysis, a lot of those roads were going to be on the hook to fix. Musselman is being done but there are many roads probably close to where this is being taken care of that are going to need to be fixed by the County. So, I'm a little concerned and I'll talk to staff a little later as to why it is that we're building these types of things with no impact to transportation other than the transportation fee that would normally be required. That, as well as Parks

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and Rec -- we've also identified that there are no parks and rec. So, we're saying that none of these kids are going to go up to the community center, are going to get involved in sports, they're not going to get involved, they're not going to use any amenities. We simply said we have enough park space to equate for the ordinance of 16, 17, 16.7 acres per thousand people. And so we're good with that and there are no other considerations. So, I do have a little bit of a concern about the fact that there are no proffers for Parks and Rec, there no proffers for transportation.

Mr. Payne: So, I appreciate that and of course I heard your comments on the prior case. This is sort of an age old discussion that we all have in this region. You're certainly not going to get an argument out of me or a disagreement out of me that more transportation in this region would be a very positive thing for us from many points, not only quality of life but also from an economic development perspective. So, when we talk about that who pays for it, we all know it's just the developer pays and then taxpayers pay, so it's just not one side of this. Impact fees were created to help offset that, especially for by-right development. By-right development has had a huge impact on this County and it doesn't pay for transportation impacts or school impacts or public safety impacts. So, we all kind of struggle with that a little bit where the balance is, so it falls to what does the law saying what does the ordinance require us to do, so when we go there our requirements are to determine what our impacts of our project are on all of those road networks you're talking about. At the end of the day, we have basically a minor impact on those road networks on the level of services. They still say C as the Comp Plan encourages. And so we, you know, with the improvements at Musselman, with the light moving down from Shore to Olde Forge, that will be more positive. I would suggest... I'm not going to ever suggest that our traffic's not going to ever go through Rappahannock Landing. I don't think a majority of it will. I think rather a minority traffic will go through there. It just will be discouraged in going through there just because of the fact it's just... it's just not a very clean access.

Mr. Randall: It's not that one, it's the one north of you, the one that's already built... it's Olde Forge. What's the town... what's the duplexes that are in there, that whole new... the old development that's up there?

Mr. Payne: That's Olde Forge townhouses.

Mr. Randall: Olde Forge? Well, they're going to cut through Olde Forge, they're not going to go all the way up Musselman.

Mr. Payne: Well, they're probably... the route they're probably taking you probably can see on your GDP is going to be Krieger to Musselman to Thomas to Olde Forge. So, that's what we're required to look at. I think what we did when we heard the concerns of you, Mr. Randall, Mr. Bain, we said how can we help mitigate that outside the box? You heard staff say that they're recommending that you shouldn't accept our proffers. Well, we want to think outside the box. We want to be there with you. So, I hear you, but I think we've done what we're required to do and we went a little step further. So, hopefully that answers your question although I can't fix the big picture question right.

Mr. Randall: I appreciate that, thank you.

Mr. Vanuch: Alright, well thank you very much. This is a public hearing item; we did keep the public hearing open so if anyone would like to come down and address the Commission it's the same spiel. Three minutes, when the red light comes on please conclude your comments. Please come down and state your name, address, and the district that you reside when you're addressing the Commission. So, at this point I'm in to open up the public hearing. Would anyone like to come down? I see Ms. Carlone coming. I know we'll have Mr. Waldowski. Anyone else?

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Ms. Carlone: Okay. Ruth Carlone. This is wrong. How many of you... how many of you go every day down 17 to 1? There's just... pardon? Oh, it looked like you're about ready to say something. Oh you mean I for one. Yeah. Anyway, one of the things, I know that there is certain quantity that you put for the per child. Okay. Think about it; 324 we're getting, people, we're getting close to coming up from the school, getting close to one child instead of 1/6 or whatever former figures were. Okay. We have those kids. We're going to have them. We'll have kids there for years. I just don't see... it's a tremendous expense to us after they've been there plus past this \$5,300 or whatever you're having right now for your proffer. They're going to be there through twelve, maybe 12th grade, and that just doesn't cover them the rest of the years. And I know we can't change that but I'm concerned about up to three bedrooms. Okay. So that would be what would you consider two and then three four. We don't know how many that's truly is going to be by the time it's filled up. I'm just vehemently opposed to this additional to UD-3 because the traffic, the cost. I don't see... what do you have? I didn't hear a swimming pool, tot lots, picnic area. Now also I didn't hear... did I miss it? Say yes or no.

Ms. Vanuch: No, I was looking at Mr. Randall because he's very passionate about the parks.

Ms. Carlone: Okay, that was very quick. Okay, very quick, you need to have a bus stop, a covered bus stop, at least two in an area like this. And I didn't mention it for the other but I watched some people across the road from the motels out in the open and no cover on them to take the FRED system. But you need to have a bus stop there for FRED and that goes for the prior one, too, for the seniors. The amenities, if you would please repeat what those are, I didn't catch those. As you mentioned, there is no amount in here for Parks and Recreation, and you've got kids, a lot of kids there to take care of. And I've never heard anything about a basketball court or a tennis court. I've heard swimming pool but I didn't hear it swimming pool here or any other amenities that are for different ages of the kids. And my time's up, okay.

Ms. Vanuch: Thank you Ms. Carlone. Mr. Waldowski, you want to come on down? I know everyone's here for the next one so. Thank you for being patient.

Mr. Waldowski: Paul Waldowski, gerrymandered Rock Hill District. All we need is flying motorcycles and they're on their way. Tesla's looking at 'em. And I think the traffic will not go through the least resistance. Always remember folks, thinking is a good thing. It's subjective. Be careful when someone says that they think they're going to do stuff. Sidewalks to nowhere. That's exactly what we're building here. No problem with that. Just to keep reminding you 2021 will be the official redistricting. So, you know, the green School Board, they're learning that. Oh, we're only going to have five districts after the gerrymandering committee comes in? Golly. Wake up America. And deficits for any school... you know in 2015 I ran for the Rock Hill Supervisor and my platform was very simple. Education. Education. I told you before, I'm anti-development; any kind of development that grows vertically and horizontally brings crime. Who do you think's going to live in those things? You think there's gonna be an HOA? I don't think it's going to be Houses of Aristocrats. Three bedroom. You know, I own a 2-bedroom condo rental and I keep it furnished. And the base loves it because it's immaculate. And it's got location - location - location. It doesn't need 50-foot or 30-foot buffers or setbacks, because what happens with the buffers in this County, if you looked at 2018, the Chesapeake Bay watershed, and just go down Shelton Shop Road and Courthouse Road and you're going to see all the buffers that got approved and there are no buffers. So, what are they going to grow? Leland Cyprus's? Maybe, but I doubt it because the developer is cheap and he'll pick some kind of, who knows, a maple tree but he's not going to pick some oak tree or something that's going to make a difference. Walking paths. Wow! They're an additional amenity. What are you gonna do? Go to Lowe's and get some rocks and put them down there so they're flat and they'll be an amenity. It just fascinates me how you bring in these new developments every time and you have no and I'm gonna follow the law. Wow!

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This is the ordinance! You know, I heard a leader of the FCC say something -- you can do stuff right now or you can do it right.

Ms. Vanuch: Thank you Mr. Waldowski. Would anyone else like to come forward? Okay, seeing no one come to the podium I will go ahead and close the public hearing on the reclassification of the Rappahannock Landing Apartments and allow the applicant to come up and address any of the community's concerns. And can you specifically just repeat the amenities for Ms. Carlone?

Mr. Payne: Thank you Madam Chair, other members of a Planning Commission. Again, Charlie Payne. Always appreciate comments from the community. I would note that although both speakers obviously spoke their minds and their position, the two meetings that we've had we have not had speakers here from the immediate community, either for obviously or against more importantly. Typically, people don't come to speak for a project if they support them but typically come when they're against them. The two public meetings that we had we have not had folks from Rappahannock Landing or Musselman Drive or close by come and complain about this project. I think one of the reasons why that did not happen is we did have a community meeting initially, which was encouraged by Supervisor Cohen and Mr. Bain. I thought that meeting went fairly well. We have been responsive to people when they've e-mailed or contacted me about the project and the status of the project, et cetera. So, I just wanted to point that out because typically I go to meetings and see lots of people with projects where they're speaking against. Just to address Ms. Carlone's question, there is a 5,300 square-foot clubhouse, which is a very large clubhouse, with a pool. Also, we have a fitness center inside the clubhouse. It's very resort-oriented feel and look, a lot like you see in some of the more modern apartment complexes. We also have pocket parks and a dog park and a kid's playground. We have a walking path onsite. So again, addressing all of those issues in regards to amenities, which are very important to development of this type. I would just also as a quick reminder, this is consistent, as you heard from staff, as you heard from our presentation before, consistent with the Comprehensive Plan. This is in a Targeted Growth Area, the Warrenton Road Targeted Growth Area residential, which encourages 1,500 apartment units. So, we are acting in accordance and consistent with that. The rent rates, just to show you sort of the quality, the applicant is a quality developer headquartered at Virginia Beach. They have won awards nationally. They're very well respected. The rent rates we're looking at for one bedroom are \$1,200, \$1,500 for two, and \$1,700 for three. Only 10% of our units are 3-bedroom. So, this is not geared towards having lots of kids onsite. With that, I'm happy to answer any questions. I did also hear something about transportation relief. Just a quick reminder, that interchange and Atlantic Gateway improvements along I-95 are to help bring some relief to that interchange and that intersection. Remember, this is south of that interchange as well, so, which quite honestly I've been here my entire life. That area has... could use a nice facelift. So anyways, I'm happy to answer any other questions you may have. And I appreciate your time this evening.

Ms. Vanuch: Thanks Mr. Payne. Do we have any questions on the Commission for Mr. Payne?

Mr. Randall: I have one more question, I'm sorry.

Ms. Vanuch: Go ahead.

Mr. Randall: The owners along Krieger Boulevard, have you talked to those owners?

Mr. Payne: I think we talked to them early on, but I don't think we've recently... I don't think we've recently spoken to them.

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Mr. Randall: Okay, alright. Well, they'll probably appreciate the fact that something in front of their house will be paved.

Mr. Payne: Yeah, it's gonna be paved and improved and widened to 20 feet. They also will like the fact they can connect a sewer and water as well.

Ms. Vanuch: Alright, is that it? Okay. Thank you Mr. Payne.

Mr. Payne: Thank you.

Ms. Vanuch: Okay, so I'm going to bring this back up to the Planning Commission here. Mr. Bain, this is in your district. Do you have any further discussion or comments on this?

Mr. Bain: Several, thank you Madam Chairman. Mr. Payne mentioned this is a Targeted Growth Area. The Targeted Growth Area for the County is significantly larger than this development. And he mentioned that the Targeted Growth Area had anticipated 1,500 apartments. This developer is trying to get 20% of that number accommodated on 25 acres. I think that's really kind of overkill. This is perhaps the highest density that you could achieve on this site. I was not on the Planning Commission when the Urban Development zoning category and the Targeted Growth Areas were formulated and adopted. But I've done some research and had discussions with staff to try and obtain a better understanding of what was the intent of those zoning issues or categories. I believe that the Urban Development zone and the Targeted Growth Areas were all intended to promote a mixed use and pedestrian friendly development that would include residential, commercial, and possibly office use in such a way that it would allow residents to live and work and do shopping and what have you without having to get in a car and drive 10 miles or deal with the traffic on Route 17. The proposed development has not attempted to accommodate or incorporate any of that concept. All they're proposing is apartments. There's no commercial and no office use. The commercial aspect of it to me is important. There should be restaurants, small shops, something like a convenience store. Now, while they may not be able to do all of that onsite, in my opinion they should be attempting to accommodate some of that. I just feel that this proposed development is not consistent with the development in the area. It's much higher density. The people that are going to be living in this development are going to be going to work and coming home from work, passing those single-family homes on Musselman and Thomas Lane. They're going to be dealing with the poor access onto Route 17. Whether they go out at Short Street or at Olde Forge, they're going to be going through the two existing residential areas, Rappahannock Landing and Olde Forge development, causing internal traffic problems. They're going to be conflicting with school buses. It was commented that they're going to widen Musselman Lane to 20 feet. A 20-foot road with one car parked on the side of the road becomes a one-lane road and it's not adequate. That road's going to have school buses on it, picking children up along those single-family homes, as well as coming into the development. This development is going to contribute to, in my opinion, a significant impact on traffic. I just feel that it's going to have a negative impact on the health, safety, and welfare of the community that it surrounds, and that the developer has not really considered those impacts but instead has just attempted to maximize their profit by getting the highest density that they could possibly achieve and take advantage of this UD zoning which was never really intended to allow for that kind of development. So, thank you Madam Chairman.

Ms. Vanuch: Do you want to make a motion? Are you making a motion or...? We have to have a motion and a second in order to discuss.

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Mr. Bain: Okay, yes, yes I would. I would like to make a motion to deny the rezoning application... pardon me... number RC18152278 because of the negative impacts this development will have on the surrounding community as I've alliterated previously.

Mr. Apicella: Madam Chairman, I'd like to second that motion.

Ms. Vanuch: Okay, so we have a motion on the floor by Commissioner Bain to deny the reclassification of Rappahannock Landing Apartments, and second by Commissioner Apicella. Commissioner Bain, would you like to make any further comments than the ones you already made?

Mr. Bain: No thank you.

Ms. Vanuch: Okay. Commissioner Apicella, I know you do.

Mr. Apicella: Madam Chairman, I'd like to echo the comments made by Mr. Bain regarding the applicant's proposed UD-3 high density apartment complex. I was on the Planning Commission in 2012, which probably makes me pretty old, when the Urban Development construct was under consideration. And I look back at both the agenda item and the minutes when the Urban Development proposal was under discussion. I did not agree when this apartment's only proposal first came to us a few months ago, or a month and a half ago, that Urban Development proposals are aimed at promoting ultra-high density, single use, single residential proposals. Back in 2012, and now, Urban Development proposals require a master plan showing how different types of uses within a larger parcel or with adjacent parcels will be sited. Why have a master plan if you're not going to have some kind of connected integrated project that's different than the normal apartment style complex that we've seen here in Stafford County in the past. The overall definition of Urban Districts indicates that the purpose is to promote pedestrian friendly walkable neighborhoods with a mix of uses and housing types served by an interconnected network of streets. Again, the key words here are mix of uses and housing types. It's right there in the language of Urban Development Districts. So, the very name of Urban Development 3... the very name of the Urban Development 3 District is called residential mixed use. You can't not figure out what that means. It also specifically notes in the purpose section, which is Section 28-34 of Stafford County's Code, for this sub-district that it allows limited retail and services. And those types of commercial activities which are allowed in this district include convenience centers, eating establishments, retail sales establishments, and office uses. So, what's been proposed here as Rappahannock Landing, now Highlands of the Rappahannock, is just one single use -- apartments -- at one of the highest densities allowable in Stafford County. But I believe in order to get that twice the normal allowable density under other zoning categories where apartments are allowed, which are R-2 and R-3, a UD district has to be different. It must include more than one residential use on the same parcel or at least must be connected to an adjoining UD designated parcel that satisfies the mixed use requirements of this district. This is not just my view. This is verified by a question that was asked by another Commissioner and then answered back in 2012 when this item was under discussion and the Planning Commission and ultimately the Board of Supervisors approved the Urban Development Districts and the sub-districts. Wouldn't it be great for a developer if all they had to do was find a parcel in the Targeted Growth Area, just offer one single use, and be eligible for twice the density otherwise permissible? That's not what the County wanted. It's not what the County intended when this zoning construct was created. So, in my view, and I believe Mr. Bain said the same, this is not consistent with the Comp Plan. Urban Development is not merely about gaining maximum higher density residential use in the Urban Services Area just for its own sake. It is about a well-planned integrated mixed use project with multiple housing types and uses. Again Madam Chairman, it's all a name, residential mixed use. This proposal does not achieve this purposeful UD-3 requirement. Now, the applicant still... if the applicant still desires to push forward with the UD-3 zoning proposal, they just need to adjust their plans

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for this or adjoining parcels to include other housing types, some commercial uses that would help offset the impacts, and to better realize the TGA goal here of a self-contained community with limited impacts on County infrastructure. Or they can still pursue a rezoning for multi-family residential on this parcel, but at a more appropriate lower density under the R-2 or R-3 zoning categories. Madam Chairman, for these reasons, as well as reasons specified by Mr. Bain, I support the motion to deny this request.

Ms. Vanuch: Thank you very much Commissioner Apicella. Anyone else care to make any additional comments?

Mr. Bain: Could I add one other comment?

Ms. Vanuch: Sure.

Mr. Bain: In response to Mr. Payne's comment that nobody has come from the local communities to voice objection to this proposed development, as he mentioned there was a community meeting on this project and Supervisor Cohen and I attended. At that meeting there were a number of people both from the residents along Musselman and from the Rappahannock Landing townhouse community that did voice objections to it, and I believe that those people felt that Supervisor Cohen and I heard their objections and that we are representing their feelings concerning this project as well. Thank you.

Ms. Vanuch: Okay. Any further comments from anyone? Okay, seeing no additional comments, there's a motion on the floor to deny with a second. Go ahead and vote. Motion carries 7-0. Now moving on to item number 3, the reclassification and proffer amendment for Willow Run. And for this item we recognize Mr. Mike Zuraf.

3. RC16151330; Reclassification and Proffer Amendment - Willow Run - A proposed zoning reclassification from the A-1, Agricultural and B-2, Urban Commercial Zoning Districts to the R-2, Urban Residential - Medium Density (148.24 acres) Zoning District; and from the A-1 Zoning District to the B-2 (5.60 acres) Zoning District on Tax Map Parcel Nos. 36-29, 36-37, 36-37A, and a portion of Tax Map Parcel Nos. 44-61 and 44-61A; and a proposal to amend proffered conditions on 7.53 acres zoned B-2 on a portion of Tax Map Parcel Nos. 44-61 and 44-61A, all to allow for the development of up to 444 dwelling units and 90,000 square feet of commercial uses on Tax Map Parcel Nos. 36-29, 36-37, 36-37A, 44-61, and 44-61A (Property). The Property is located on the north side of Warrenton Road, west of the intersection with Village Parkway, and south side of Truslow Road, across from the intersections with Cool Breeze Way and Summer Breeze Lane, within the Hartwood Election District. **(Time Limit: July 5, 2019)**

Mr. Zuraf: Good evening Madam Chairman, members of Planning Commission, Mike Zuraf with the Planning and Zoning Department. This item is a zoning reclassification for a project known as Willow Run. So, they're crossed before you. It's two parts to this. First there's rezoning of portions of the property from the A-1, Agricultural and B-2, Urban Commercial Zoning Districts to the R-2, Urban Residential-Medium Density Zoning; that area covers 148 acres. And then from A-1, Agricultural to B-2, Urban Commercial on 5.6 acres. Also, portions of the property that are currently zoned B-2 are remaining B-2 and the applicant is basically seeking to amend existing proffers that are on that, but not changing the zoning classification. So, in combination, in the end result there would be approximately 13 acres of B-2, Urban Commercial zoned land. Combined, these actions would allow for the development of up to 444 dwelling units of a mix of townhomes and single-family units, and 90,000 square feet of commercial use as the applicant is Ward corporation and this is in the Hartwood Election District. This map highlights the site area and the five parcels subject to the request. The site's located

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on the north side of Warrenton Road, west of the intersection with Village Parkway, and the south side of Truslow Road across from the Willows subdivision. This is a zoning map of the subject area and surrounding land. The rezoning area shows the portion of the property to be rezoned to the R-2 and B-2 zoning designations, that's the red hatched area. And then the proffer amendment area is the remaining land that's currently zoned B-2, remaining that way, and proffers are just being amended on that area. The two B-2 zoned parcels were rezoned from A-1, Agricultural back in 1990 and 2007. Both of those zoning actions assumed development of commercial retail uses. Surrounding the site you have a variety of other zoning districts; to the west and north are A-1 zoned properties, that's the light green shading. That includes the Willows area to the north. To the east is R-1, Suburban Residential zoning, that's generally the location where Cardinal Forest subdivision is located. And to the south you have a variety of other zoning districts, including B-2, Urban Commercial, where the Royal Farms is located and where Wal-Mart is. And then R-1, A-2, Rural Residential, and M-1, Light Industrial generally along Warrenton Road. The majority of the site is wooded and undeveloped. Falls Run bisects the property running of west to east with associated wetlands and 100-foot Critical Resource Protection Area buffers along that stream. There are other stream channels that feed into Falls Run on the site. The land slopes downward to the center of the property where Falls Run is located. There is a single-story bungalow constructed approximately in 1940 on the site located along Warrenton Road. Also, there is an existing road recently constructed into the site; that's Stafford Plaza Drive. That's the new road across from Village Parkway that was constructed concurrently with the Royal Farms. This is a privately maintained street that would also provide access into the site.

Mr. English: Are you talking about where Royal Farms is, is privately owned?

Mr. Zuraf: The road that goes into across from Village Parkway?

Mr. English: Yeah, is that privately owned?

Mr. Zuraf: It's... yes, it's a private street. It's basically... has an access easement across it. It's built on this subject property.

Mr. English: Okay.

Mr. Zuraf: But the developer of the Royal Farms in that area has an access easement across that.

Mr. English: Okay, thank you.

Mr. Bain: Can you show... I'm sorry. Can you show us on the map where that road is? Just mark it.

Mr. Zuraf: That is right in this area.

Mr. Bain: Okay.

Mr. Randall: Mike, if I could, the intention of that is to stay private, correct?

Mr. Zuraf: Yes.

Mr. Randall: Okay. So, no matter the buildout, no matter what, that's gonna stay private. That's not going to have direct access for anybody to go through it.

Mr. Zuraf: Well, it's a privately maintained street is what I meant to say there.

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Mr. Randall: So, we'll have full access.

Mr. Zuraf: So, just like right now, anybody going into shop and get gas at Royal Farms can drive through there but it's not maintained by VDOT; it's not publicly maintained.

Mr. Bain: And it will provide access to all of the rest of this proposed development.

Mr. Zuraf: That's what the proposal includes and I'll get to...

Mr. English: But if you're saying that it's private... so, say they decided hey I'm going to close that off after the development got, could they do that?

Mr. Zuraf: That's a good question. I would need to look into that. I think the big issue... I don't know if that would ever happen. I think the big issue...

Mr. English: It could happen.

Mr. Zuraf: ... is maintenance.

Mr. English: It could happen thought, right?

Mr. Zuraf: Yes.

Mr. English: Okay, thank you.

Mr. Harvey: Madam Chairman? Can we have staff continue with the presentation?

Ms. Vanuch: Sure.

Mr. Harvey: And some of the questions the Commissioners may have may come out in the presentation.

Ms. Vanuch: Sure.

Mr. Zuraf: So, this is the general development plan submitted with the project. This was submitted by the applicant. It depicts a conceptual layout for the residential and commercial uses. The commercial development would be located within a 13-acre area that's located along Warrenton Road. That's the area shaded in red. The residential development in the R-2 zoned area is located north of that... north of the commercial area and would include both townhomes, that's in the orange shaded area, and single-family dwellings in the yellow shaded area. The primary access to the development would be via the collector road that we just discussed that would run from the current alignment of Stafford Plaza Drive north through the site to Truslow Road. And that would be this road right through here. And then that ending point at Truslow Road would tee up with the intersection with Summer Breeze Lane which is the entrance... one of the entrances into the Willows. Initially, the collector road was... during the process the applicant acquired additional land; they acquired this property and expanded the project. Initially, the collector road was in this location and ran up this way, and that was problematic with it not meeting at a signal and VDOT said they would likely not approve any traffic signal at that location. So, the applicant moved the acquired additional land and moved the road to the east. So, there would also be two new access points along Warrenton Road into the commercial area; one in this site and one in this area. And then also there's potential inter-parcel access connections from the residential area that's typically required with any new subdivision. At least streets need to be stubbed into those adjacent

properties for potential inter-parcel connection in the future. And, as I mentioned, that existing portion of the collector roads plan to remain a private street. And, but then potentially the remaining sections of that road would... could go over and be built as a public street. The residential area, I mentioned there's 444 total units. This includes 87 single-family detached units of 80-foot lot widths. There's also village detached units; those are narrower lots, 60-foot wide lots of... the product is still a detached home but smaller lot sizes. And then 236 townhouse units. The townhouse units are centrally located within the development and community amenities include one tot lot and a wood chipped trail along the Falls Run stream valley, and also an 8-foot wide shared-use trail installed along Truslow Road. And along the eastern property line with Cardinal Forest, a 50-foot buffer is proffered to be maintained. The B-2 zoned commercial development covers the 13 acres as mentioned. The GDP envisions a total of 90,000 square feet of commercial development. These specific uses have not been proffered and so the ultimate use may change. The GDP does show 5 pad sites with standalone or multi-tenant retail buildings. The buildings shown are 1-story and up to 30 feet tall. Proffers would ensure the dedication of right-of-way along Warrenton Road to support future widening of Route 17. Also, there would be no more than two access points off of Warrenton Road. Also, future conditional use permits would be required if uses are proposed that would require that such as like a drive-through restaurant. The Comprehensive Plan's future land use map designates the property for Suburban land use; that's the yellow shading; Resource Protection, the blue shading along Falls Run; and the commercial corridor, the orange shading along Warrenton Road. Truslow Road is the northern edge of the Urban Service Area. In this location to the north is Agricultural and Rural future land use. The proposed development is generally consistent with many of the Comprehensive Plan recommendations for commercial and residential development of this type, including several of the policies encouraging infill development. The uses and intensity are appropriate as the townhomes are centrally located within the development and the density does not exceed 3 units per acre. The site layout is consistent with surrounding neighborhoods as lower density single-family detached homes are centered around the perimeter, also in combination with additional buffers and setbacks that are provided. The development does provide pedestrian connectivity with trails and sidewalks, and the layout of the development does minimize impacts on sensitive environmental features on the site. With monetary proffers, the application was submitted prior to the current proffer legislation which limits the extent to what the County can accept to minimize impacts. So, for this project, the former proffer guidelines are in effect for this case, including recommended monetary proffer contribution guidelines as mentioned earlier this evening from back in 2015. The applicable proffer guidelines for this project include up to \$48,000 for each single-family detached unit and \$41,000 for each townhome. The applicant is proffering cash contributions of \$7,000 per unit for single-family and village homes, and \$5,000 per unit for townhomes. The funds are designated specifically for schools, fire and rescue, libraries, and general government facility types. The proffers are not specific as to how that money would be allocated to the different types of facilities. And there are no cash proffers for transportation or Parks and Recreation. So, the Comp Plan includes a policy that recommends that new development proposals should be phased to coincide with infrastructure and not develop until the projected infrastructure and services have been implemented or scheduled to be phased concurrently with demand. The next several slides will review the public facility impacts from the development. First looking at schools -- this site is only within the attendance zone of Hartwood Elementary School, Gayle Middle School, and Colonial Forge High School. Based on average student generation for each type of home, the project would generate up to 324 new students, with 152 elementary school students, 78 middle school, and 94 high school students. So, adding these new students to the current enrollment of those specific schools would result in capacity deficits at Hartwood Elementary School and Colonial Forge High School. Next looking at transportation, the Comprehensive Plan recommends future widening of Warrenton Road and Truslow Road across... widening additional lanes along Warrenton Road, and for Truslow Road improving Truslow Road as an upgraded 2-lane facility. So, the applicant is proffering right-of-way dedication to support those future widening projects. There is also, as mentioned, a 2-lane collector road proposed and proffered to be built through

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the site. Staff would note that the timing of the completion of that road is not specified in the proffers, but would recommend that that kind of get narrowed down as we move through this to have a better understanding and ensure that the road is built through in a timely manner. Staff notes a traffic... Transportation Impact Analysis was required and prepared. The overall impacts, the project in total would generate 7,431 vehicle trips per day; in the morning peak hour, up to 522 vehicle trips and in the afternoon peak hour, 612 vehicle trips. The Traffic Impact Analysis looked at several intersections and evaluated the impacts on several intersections. It's kind of hard to see but the specific intersections are... that were evaluated are represented on this map with the blue stars. There are several intersections along Warrenton Road and also several along Truslow Road, including the Truslow Road/Enon Road 3-way intersection to the east. Also, the image highlights the location of the 2-lane collector road, the dash line through the site. So, the Transportation Plan element of the Comp Plan does recommend that new development either maintain acceptable intersection Level of Service C or better on a scale of A to F or, if the background conditions are below Level of Service C that any new development does not further degrade the intersection. So, the traffic study, in its results, identified several areas of concern and areas where there was potential for degradation of Level of Service, and the study recommended improvements to minimize those impacts. So, it kind of pointed out some of the main recommendations out of the study. This included providing dual left turn lanes along Truslow Road at the intersection with Summer Breeze Lane. At the intersection of Warrenton Road and Holly Corner Road is identified that there would be morning peak hour delays on Holly Corner Road leading out to Warrenton Road. The TIA doesn't necessarily recommend mitigation for that. Also, the TIA recommends modifications of the current median break along Warrenton Road. This would be one of the proposed access points into the commercial area and the recommendation is that that median break be modified to a slotted left turn. So, people travelling each way on Warrenton Road, they'd be able to turn left into the site but people leaving sites on each side would not be able to cross Warrenton Road to turn left. Also, improvements are recommended to Village Parkway... the Village Parkway/Warrenton Road intersection which wouldn't fully mitigate impacts. This included lane restriping and signal modifications. But again, they don't fully mitigate impacts to the meet the Comp Plan standards. Also, in looking at the Truslow Road/Enon Road intersection, the study says the best way to mitigate traffic impacts at that intersection would be to install and basically redo that intersection and put in a traffic circle, although the study doesn't recommend that the applicant should be the one to bear the full cost of that and that might be something that the County or VDOT should pursue. Some of the other traffic study TIA issues -- the collector road... that the traffic study does base the traffic distribution on the collector road improvement. So the application does require the construction, as I mentioned, but does not establish the completion date. Without the connection the impacts on the transportation network might be much different. So staff does recommend the applicant specify the timing and phasing of the completion of that connector road. And also, as mentioned earlier, in retaining a portion of the road that may handle a lot of cut-through traffic, is a private street, or a privately maintained street, may create future maintenance challenges. Staff does recommend that the application clearly describe how the road maintenance can be maintained into the future. Also then, another traffic study issue. The applicant prepared a separate Truslow Road Safety Audit in the vicinity of the subject property. The study looked at crash data, safety issues, and provided recommended improvements. The improvements included several things: roadway realignment -- some of those improvements would occur with the construction of the two intersections. Also, increasing fines and enforcement, improving signage, adding guardrails to the east of Summer Breeze Lane, trimming or removing excess foliage that blocks site distance; those were a few of the recommendations. And staff does recommend that the applicant consider incorporating the recommendations to the extent that they'd have control and be able to assist into the project proffers. Also, we will note the last point there that the traffic study was modified several times to address comments provided by VDOT. VDOT was reviewing this all along the way. So, then the other... some the other public facility impacts -- with Parks and Recreation, based on the Comprehensive Plan recommendations the project would generate the need for over 26 acres of park

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land. Staff notes the proffered improvements would not mitigate this level of impact. With public safety, the Berea Fire and Rescue Station currently is not meeting fire and rescue response time standards, which is to respond to calls within 8 minutes 90% of the time. So, this project would add to the current service level deficit. With general government, the current deficits are scheduled to be mitigated with the completion of a new courthouse in year 2022. And with libraries, the site is approximately 2.9 miles from the Howell Library. The Comp Plan recommendations would estimate a new library would be needed in the year 2023. I mentioned the applicant's provided proffers. Just a summary of those proffers -- as I mentioned, the contribution of seven and five thousand dollars per each single-family and townhouse dwelling unit; also the construction of a tot lot and two trails as recreational amenities; requiring a 50-foot undisturbed buffer adjacent to Cardinal Forest; requiring a 55-foot lot setback from Truslow Road; dedicating right-of-way along Truslow; constructing a 2-lane collector road through the site; limiting the number of commercial access points off of Warrenton Road; and limiting the number and type of residential units as I kind of outlined earlier. Also with the rezoning, prohibiting several uses otherwise permitted by-right in the B-2 zoning district; establishing some design and material requirements for townhouse and village units that are built; and also requiring substantial conformance with the general development plan with townhomes located internal to the development. With the portion... smaller portion of the proffer amendment area, requiring the dedication of right-of-way from the center line of Warrenton Road; limiting the number of commercial access points also; constructing a right turn lane along Warrenton Road; and then also prohibiting several uses otherwise permitted in the B-2 district. Looking at the overall summary of the evaluation of the positives and negatives, there are several positives. The uses and orientation on the site is consistent with the land use recommendations in the Comp Plan. It is consistent with the established development patterns in the vicinity of the site. Increased buffers from established neighborhoods should minimize impacts. The right-of-way dedication will support planned transportation improvements. And the project is designed in a manner to minimize impacts to the sensitive environmental resources. With the negative aspects, it does not adequately mitigate the Level of Service impacts to the transportation network in accordance with the Comp Plan. The timing of proffered road improvements is unknown. The proposal does not address documented safety issues on Truslow Road. It does not adequately mitigate public facility impacts, specifically schools and parks and recreation in accordance with the Comp Plan policy that development proposals be phased to coincide with infrastructure needs. And the design criteria is minimal and the ultimate design of some of the buildings would be unknown. Based on this evaluation, staff does not recommend approval of the application at this time. Although there are several positive aspects, staff does not believe the proposal adequately mitigates the impacts. And should the Planning Commission be inclined to recommend approval, the issues raised in the staff report should be incorporated into the proposal. And that concludes my presentation.

Ms. Vanuch: Thank you Mr. Zuraf. Would the applicant like to come forward and speak? And I'm not sure the breadth of your presentation but I would rehash the stuff that he's already gone over if there's...

Mr. Ward: Is one page short enough?

Ms. Vanuch: Oh, that's good. I'm sure there's lots of people dying to talk so.

Mr. Ward: Good evening Madam Chair and distinguished Commissioners. My name's Richard Ward of the Ward Corporation. First I'd like to thank Mike. I think he did an excellent job and his staff putting together the report. It's been a pleasure working with him through this process. Tonight we're presenting a mixed use project. This community is inside the Urban Service Area, complying with the Comp Plan, and supports the surrounding community. I've previously met with the Cardinal Forest and Willows Homeowners Associations and have made changes currently to the plan based upon their excellent feedback. Tonight we are here to listen. We're gonna take lots of notes it sounds like, and in

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hopes to make this a better plan. We assume that you guys will probably defer this and give us the appropriate time to make the changes necessary so that we can better this plan. Our goal is to develop a plan... community inside this already existing community that we can all be proud of. Tonight I have Blake Smith with Smith Engineering and Kevin Sitzman with Gorove Slade Traffic to address concerns of that, and our legal counsel Richard Stuart. Thank you.

Ms. Vanuch: Thank you. Does the Commission have any questions before we move into the public hearing or we just keep on going? Okay great. So, now we're gonna open up the public hearing because there's a multitude of individuals here to speak on this I'm imagining; if we want to lineup in orders of three at a time so when somebody goes to sit down another person stand up because it helps really move things along rather quickly. Same spiel is before; you get 3 minutes when the green light comes on; please state your name, your address, because they can take notes and it's also for the record, and the district that you reside. I'm assuming most of you are from Hartwood. And then when the red light comes on please conclude your comments and we'll remind you of that as the public comes up to speak. So, if you want to just start lining up and come down.

Mr. Aycock: Good evening. My name is Steve Aycock. I live in Cardinal forest. Our home backs up to this property. There's a 50-foot of woods and then the creek and then their development. There are several reasons why this is a bad idea. In our case, in our home, the drainage is a serious problem. I've had people from the County come out and look at and they say that according to the code and the law there's nothing they can do. We get... sometimes when there's heavy rain we get a 6-foot river flowing through our backyard. All that's happened since Royal Farms cleared that land and put in that, and it happens fairly regularly. And parts of Cardinal Forest flood regularly; you can't get to people's houses because the roads are underwater. I think clearing this land and putting pavement and houses on it will exacerbate the drainage stormwater problem. The problems with the traffic have been mentioned. Originally when we got maps of the development, there was no light exiting this development onto Warrenton Road and it sounds like there's still a... you have got a private road to get out on to Warrenton Road. What that means is that people (inaudible) the neighborhood on to Truslow. They're not... because they can't turn left at their... given the traffic in the morning, so they're going to go on Truslow and either they'll cut through Cardinal Forest or go on down to Plantation; that's a bad idea. Truslow, as was alluded to, is a dangerous road, it's narrow, there's not curbs on most of the right-of-way. It's just ditch on the side of the road. And it's very, very dangerous and 8,000 trips a day from this neighborhood is gonna make it twice as bad as it is now, especially with Liberty Hall going in and another 50 homes being proposed next to Liberty Hall. So, traffic is a significant problem and this will exacerbate that seriously. The other problem is schools. Our... Cardinal Forest is being transferred to Hartwood Elementary School and it's gonna... according to the paper, it's gonna be close to capacity in a couple of years. Three hundred and twenty four students, about half of them are elementary, are gonna push it real close to maximum occupancy if not over that given all the other development in the area. So, there's not adequate plans for schools and for the children. He mentioned a tot lot. The plan we were given a couple years ago did not include any children's play area in this whole development. I guess there is talk now about a tot lot, but I don't think there's adequate recreation for 324 children that are going to be living in these houses. This is very dense. To put this many single-family homes and this many townhouses in this small an area is... it's like you have to shoehorn them in by moving things around and I don't think that's good. It's not going to be a good neighborhood because of the lack of public meeting places and recreational area.

Ms. Vanuch: Your time is up, I'm sorry.

Mr. Aycock: Okay, thank you.

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Mr. Howard: Madam Chairman, gentlemen, I'm new to the area. I just moved here.

Ms. Vanuch: Can you please state your name, address...

Mr. Howard: My first name is James. My last name is Howard, and I live in the Willows. And I just moved here a year ago, so I realize I'm in the Hartwood District. I moved from Prince William County and I have a small story for you; I hope you'll let me tell it. I moved to a very... 40 years ago I moved into a beautiful home in Prince William County in what was then called the Bel Air Plantation. And we lived off of a 2-lane road called Minnieville and a 2-lane windy terrible road called Cardinal which connected to Route 1. If you drove down Cardinal, on the left-hand side was one small development and woods, and occasionally you'd meet a deer. On the right-hand side was this huge, huge area called Montclair. Montclair had no access to that road and my suggestion is until Truslow Road is straightened, like they did Cardinal Road and has four lanes now, Truslow Road is just the impact of all of this traffic is just going to be... it's already dangerous on that road. If you meet a cyclist or a school bus or the person delivering the mail and they stop, there's nowhere to go. It's a narrow road with nothing but ruts. It has no shoulders. And we've already had development there and they're already bringing in huge trucks to service this new development that's going in not more than several hundred yards from where we all live down Truslow Road. One of those big trucks forced me off the road just today as I was on my way to the grocery store. So please, please reject this. Thank you.

Ms. Vanuch: Thanks. Hang on... before you talk if you guys can hold the applause because it really does slow things down and we want to make sure everybody gets a chance to talk and we typically don't allow any interaction from the audience during the public hearing portion. Go ahead.

Ms. Ference: Hi, my name is Lisa Ference, I live in the Hartwood District immediately across the street from where the main road will exit from this development. Thank you for the opportunity to share my opinions to urge Stafford County to deny the R-2 rezoning of Willow Run. Here are my reasons why and I'm gonna try to talk really fast. Willow Run previously was denied an R-1 rezoning because Truslow Road is too curvy and too narrow. These conditions have not improved and there are currently no plans through the County or through this development for improvement. I started a petition on Change.org; you go on there and search Truslow Road. There's over 300 signatures of residents asking to have improvements on Truslow Road before you continue development. I did a Freedom of Information Act request through the Sheriff's Department and since 2012 there have been 102 motor vehicle accidents on that two and a half mile stretch of Truslow between Poplar and Berea Church. At least 54 of them have been major accidents. The intersection at Summer Breeze is the second most number of accidents that the Sheriff's Department provided the information and that's where this development will have its main exit. Willow Run will be generating 7,431 more trips per day, not counting the construction vehicles and through traffic to Route 17, all with no traffic calming measures on Truslow Road. The 8-mile length of Truslow Road has one stop sign; the same distance on Route 17 has 15 traffic lights, so it's not unreasonable to see which road the residents of Willow Run will probably take to get around the County. In addition to noise pollution, light pollution, a possible negative effect on the Falls Run stream because of a 10-year storm ponds which possibly run off into the stream, and safety concerns, Willow Run will have a negative impact on County services, on the library, on schools, and on emergency services by adding crime and actually adding to the emergency services response time. The site layout on the buildings are not oriented to and do not complement existing communities in scale or design, and that includes two new developments that are less than a mile down the road that have remained A-1. The density will not attract or generate positive tax revenue. It will destroy the open space and rural character of the neighborhood, which is why I moved here in the first place and I remained here two years after I retired from the FBI. So, I am urging you to please preserve our rural character of the neighborhood and deny this rezoning.

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Ms. Vanuch: Thank you.

Ms. Carter: Hi, my name is Kelley Carter. I'm in the Hartwood District. I am the HOA President in Cardinal Forest and, though we have met with Mr. Ward a few times going over his plans over the last few years, I believe that many of the things that he spoke to us about trying to do to help Cardinal Forest if he were to build this development are not in his proposal at all. I represent basically our entire neighborhood even though I'm sure many of them are here. This is not a development that we want to see happen. We hope that you all do vote against this proposal. This is something that's been going on since the '90s and it severely will have impacts on Cardinal Forest. We're very concerned about the water runoff. Our stormwater ponds are already at risk. When you add this development and the influx of water that it will create, there is a huge issue for us with the stormwater ponds. We need more of a 100-year plan for the stormwater ponds, not a 10-year plan. As has been mentioned before, the flooding of Falls Run Stream, which borders Cardinal Forest, is already an issue with us. With Wal-Mart and Royal Farms and the buildings that have already happened over there, as other neighbors have mentioned, we get all of that runoff water. When it rains it floods more. My yard stays a constant flood. We need additional enlarged culverts under Cardinal Forest Drive to deal with the increase of the runoff water that is created already and that will be created if this neighborhood is built. If he were to get approved, we would like to see more help from Mr. Ward in our neighborhood because of the devastation that we think will happen with the water coming from the area. The neighbors that backup to Willow Run will be adversely affected by the same water issues that I'm talking about. His neighborhood will backup to many of our neighbors on Baldwin Drive specifically and a few of the other streets that are right behind him which, again, are already flooding. The neighborhood has been against this development since the '90s. I know when I first moved in there was an issue with the Ward Development coming. I've been in Cardinal Forest over 20 years; I know a lot of our neighbors have been, and we'd like to see it stay the way it is now and have no additional development. So, we hope that you don't approve this development. Thank you.

Ms. Vanuch: Thank you.

Ms. Kopchinsky: Good evening. My name is Glenda Kopchinsky and I live in Cardinal Forest. I've listened to the presentation from the County staff. I don't think that there is anything new to add. We know that we have redistricting of our schools and yet very soon they'll be at capacity. We know that 440 rooftops brings more children. I think offering one, Mr. Randall this is for you, I think offering one tot lot and two walking trails is a shame.

Mr. Randall: Amen. Amen.

Ms. Kopchinsky: I'm sorry Mr. Ward but when we met with you we'd heard more than a 50-foot buffer. We appreciate the 50-foot buffer. We'd like to see a berm there, too, to keep my neighbor's yard dry. I think we talked about increasing the size of the one stormwater pond that is in this project, perhaps adding an additional stormwater pond. We also talked to Mr. Ward about our concerns with the amount of water that will be flowing under Cardinal Forest Drive. We voiced the fact that that road may need larger culverts. All of that water, as you may or may not know, runs over onto the LaRose property which has a sizable pond on it; but that may become a LaRose lake and now that they're building houses on the backside of the LaRose property, some of those folks back there may not even be able to get to their property. We've talked about the need for more land for schools. We need new schools out on 17. We need an elementary school. We all know we need a new high school; probably a new middle school. I suggest that maybe Mr. Ward donate 20 acres from all the thousands of acres that are available. With my time running out, I would like to thank each and every one of you for your public service. This

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is not an easy job to volunteer for and you are volunteers. We appreciate it. I ask that this project be denied. Mr. Ward, I'm sorry but it still is not time for this project. Thank you.

Ms. Vanuch: Thank you.

Miss Howe: Hi, I'm Iris Howe. I live in the Harwood District. I'm 18. I've gone to all three of these schools that have been mentioned, Hartwood and Gayle and I go to Colonial Forge. I'd just like to say I don't know where you got the number 324 but that doesn't seem right. I know plenty of people who live in the townhomes in England Run and there's got to be more than 324 kids who go to Forge alone who live there, or Stafford I guess. Every morning I wake up and I say, I gotta get to school now and I really hope Truslow isn't super crowded because it always is. I think two years ago it took my brother and I an hour and a half to get to school which is insane because we live 20 minutes away from Forge. I had thing mentioned... yeah, I think that's it.

Ms. Vanuch: You can just wait till the time runs out.

Miss Howe: Oh, yeah. I think Colonial Forge is definitely at capacity. We had a tornado drill this past Monday and I'd say 50% of the students weren't against a locker, like against a wall, which seems extremely unsafe in my opinion. And terrifying as well. Because they didn't tell us they were having a drill and I was like, oh, there's a tornado, I guess we'll die now. Thank you.

Ms. Vanuch: Thanks.

Ms. Carlone: Ruth Carlone, a familiar face here. Good for her for getting up. It's so good to see the younger people who will be inheriting these properties and working and living in this area. But anyway, I think it's been very well covered so far. One of the things too that is not being done and... sorry about that... that should be done is soil composition. Now with all this ponding going on, it seems it's in a category by itself. I can't think what the actual AC, whatever it is, for heavy hydrate soils anyway, that's one thing that. And then the tot lots again. I just I can't understand the Ward Corporation and the group just offering tot lots for those number of kids. That's trying to get off as cheaply as possible. Also of concern, I use that 20 million times a day, Truslow Road, and there is land that has been dedicated from a prior development... I guess it's about maybe not quite a mile along there... that should have been used to widen that road years ago. And I don't know what the timeframe is for widening. You did mention... someone did mention widening Truslow but it should have been years ago because everybody is using that to avoid Warrenton Road, and me included, and I have to apologize for using Cardinal Forest to cut through to. Anyway, it's ... well, thank you.

Ms. Vanuch: Who got ran off the road earlier today? [Laughter]

Ms. Carlone: Anyway, the traffic, the bus drivers I guess aren't here tonight. I tried to get bus drivers to come. They're the ones that have had accidents and early on lost their mirrors on the side from trucks. Also, Summer Breeze -- people... I don't think it was considered in here, maybe to a degree... I'm almost through here... the number of people that would be using that property, and me included, to cut through. But I think it's been well covered about this should not be recommended for approval as is. Okay, thank you.

Ms. Vanuch: You guys can come a little closer so it doesn't take so long to reach the podium. Go ahead.

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Mr. Kimball: Hi folks. Scott Kimball, Hartwood District. Just a couple comments. I guess I've been a resident in Hartwood now for 11 years. One of the reasons I moved down here was because of the agricultural setting that I was in, and if I needed to go to commercial before Lowe's was even put in I can go to 17 for that or down to 3. I think it's (inaudible) zoned as agricultural and commercial, and that's one of the things that drew me to your area. That's where I wanted to raise my family. I think 324 students for over 444 homes is pretty poor math and I think speaking to the fact that they want to just build a tot lot shows where their real desire is to put residences into that area. I can't speak to the Cardinal Forest drainage area. I can only say it's because it's a wetland. I mean, if they build homes on a wetland, you're going to have a harder, you know, drainage problem. I've heard comments about the intersection of Summer Breeze and Truslow. It's not an intersection; it's a 3-way stop right now. And if you make it an intersection is gonna get worse and I don't see how putting a traffic circle down Enon is going to alleviate that. I'm a cyclist. One of the things that drew me to Summer Breeze was being able to cycle from my driveway. And I don't. Now I drive to Hartwood and I park my car and take my bike out of my car and I cycle now from Hartwood because I can't get on Truslow on a bike. And I'm on a bicycle 10 hours a week and I don't do it from my own home anymore, just 'cause the traffic that's on Truslow. I heard comments about agricultural land to the north of Truslow. Not anymore. I mean, there's one person that's, you know, hanging in there but there's 49 homes going in because they can't build 50. And I believe there's a plan to put in 50 homes. I request it be denied. I mean, it's one of the reasons that... 11 years ago that road wasn't even lined. And now it's lined. I mean, it's hardly widened to allow the trash trucks to get down it and I don't think improving the road is the issue. It's improving Hartwood. Thank you.

Mr. Keen: Madam Chairman, members of the Commission, thank you for this opportunity to speak. My name's Jeffrey Keen. My wife, Gretchen, and I live in the Willows. We've lived there for a little over 18 years. And like my neighbor Scott just mentioned, we moved down from northern Stafford to live in a rural area. We lived in a townhouse community, Cabin Creekwood, for 11 years. It was a nice community when we first moved in when it was brand new. After a few years the original owners moved on and renters moved in, and the state of the community dropped and crime increased. We had a drug... drugs sales going on a few houses down from our townhouse. We lived there for 11 years and we sold the place at a loss. Townhouses are a bad idea for Stafford County. We've been residents here for 30 years. I love Stafford County. We made a choice to live here; one, for its rural nature and the... just the environment that it offered to raise our child. As many have said, the road, Truslow Road, is a very dangerous road. There's so much overflow from Route 17 Warrenton on an evening, even on the mornings, but evenings specifically. You have to sit there for 5 minutes or 10 minutes to even get out on Truslow Road. I have a F250 pickup truck that I have to drive probably 25 miles an hour around a lot of the curves because I've had the mirrors hit many times with people driving so fast on that road. They even drive faster now that it's been striped with the double yellow. It's just a very dangerous road and I don't see what adding 400 more homes to this area is gonna do for the Hartwood area. It's going to make it worse. It's gonna make it worse for the people who live there. It's gonna make it... it's going to drive people out of this county. I mean, I... my wife and I are going to be retiring in 5 years. We built our retirement house in the Willows on 3 acres. If the County keeps putting in or approving these high density homes, you're driving people out, you know. You just can't live here and enjoy this community and enjoy this County. I thank you for this opportunity to speak and I thank you for your service and your voluntary work here. Thank you.

Ms. Vanuch: Thank you.

Ms. Marrs: Hello. My name is Nicole Marrs. We live directly in between Gentle Breeze and Cool Breeze. I'm sorry... yes, in between the two... the streets that are proposed for intersections. I would like to say that my children get on the bus on Truslow Road. While standing at the bus stop, my son and

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I were almost hit. Our mailbox was hit and part of the car came off in front of our child. That's not okay. The impact that these houses will have on Truslow Road is not okay. The number of accidents is grossly underreported. Since we have lived in our home, we have seen 13 accidents at this intersection where this woman lives -- just 13. And that's not all, that's not with EMS or the Sheriff's Department responding. Sometimes people just go off the road. We hear it from our living room. Our daughter was playing in our backyard on the side and heard someone go off the road. Nobody showed up from the Sheriff's Department because they didn't report it. Adding thousands of trips to an already overcrowded street only means that an increase in accidents and congestion. Schools have already been redistricted twice since we've been here and how many times will the burden of redistricting have to happen again. Property values are affected with medium to high density housing near established single-family home neighborhoods, and there's a very real concern that with many townhome developments crime rates increase. Three houses on Truslow Road facing the proposed development have been placed on the market just since the notification has come out. If that doesn't tell you that people don't want this, I don't know what does. My personal family sought an established development in a semi-rural area. Our home was 19 years old at the time of move in and we were well within the agricultural zoned section of Truslow. We felt it would be reasonably safe to expect the rural feel would be maintained through responsible zoning laws. Please do not allow Stafford to be turned into another townhome packed urban area. We would not oppose development based on current zoning regulations. We understand that the developer wants a return on investment but building high-end homes on larger lots seem to have worked for many developers throughout Stafford. We just definitely oppose this. Thank you.

Ms. Vanuch: Thank you.

Mr. Kopcak: Good evening. My name is John Kopcak. I live in Hartwood. And, I see Mr. Ward, I think it was you that built our house. I retired several years ago and I unretired 2 years ago and became a teacher at Colonial Forge, okay. And I would just like to say 93 kids -- I don't know where we'd put 9 more kids. We're full, okay. I don't have a room; I share. I have a cart and go from room to... you know, I'm right down the hall from Mr. Coen, okay, those of you who know Mr. Coen. We are full.

Ms. Vanuch: We all know Mr. Coen.

Mr. Kopcak: Okay. And right now, I would like to see most developments stopped until we plan another high school. Because right now, you know, we're one of the top 25 schools in the state and I don't know how long we can keep that up as crowded as we are, okay. We're a wonderful school. Iris is a wonderful student, okay, and we're just out of room. And one of the other things, too, you know, the time that it takes to get to Forge from where we live, it's not only just Truslow. It's also Poplar. It's also Kellogg Mill, and the other roads that are crumbling along the way. It worries me that these young drivers are on these roads every day. So, I'll be brief but I'd just like to see us be a little more careful with our development to make sure that we have the schools to take care of our kids. Thank you.

Ms. Vanuch: Thank you.

Mr. Fickes: Good, it's working. Good evening Madam Chairman. My name's Phil Fickes. I also own a property... that's in Hartwood, and I'm also own a property in Rock Hill. So...

Ms. Vanuch: I knew I'd seen you before.

Mr. Fickes: Yep. So, I was here for a development that the developer withdrew that application little less than a year ago. And it brought far fewer cars to roads with less impact. And it was... didn't get denied by this Board, but... or this Commission but it was withdrawn.

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Ms. Vanuch: It did; it was denied 7 to 0.

Mr. Fickes: It did? Okay, good. Excellent. So, anyway...

Ms. Vanuch: Let's get the facts straight.

Mr. Fickes: Yeah, and, you know, and this Commission also did that back in 2003 when this application was made and that was for 206 homes at that time, right, and it was denied because of traffic concerns. And now they're proposing double, more than doubled up, at 444. And Truslow certainly doesn't have the capacity that it could have withstood back in 2003 when this Commission denied that. So, I think... I'm not going to add to the Truslow stories. I will say that that's my biggest concern is I've got 4... 2 soon-to-be drivers and 2 coming behind them. The 2 or 3 mile stretch that they have to drive on Truslow is a... it's a gamble every single day with the amount of accidents that they've had there. No amount of homes R-1 or anything greater on these plots of land is smart until the infrastructure in this County is actually improved, not in advance of those improvements. I think if you look at what they could do by-right right now, they could put 46 homes on this property. They have B-2 that front's Route 17. As it is, the current proposal is a net deficit every year to the County of tens of thousands of dollars. By by-right development at 46 plus the B-2 that they currently have, that's a net gain to the County in tax income. That's the kind of development, that's the kind of planning that we want to see from a Planning Commission is thinking about how we're going to bring money into the County to provide services for our children. I don't think the other proposals... I think everybody has mentioned that Colonial Forge may go over capacity. According to staff's numbers, Colonial Forge does go over capacity and that affects anybody with Colonial Forge in their district. And if you don't think that I'm very happy that my two homes are in the Colonial Forge High School district you'd be wrong in it. I've had my last tenants move into my house in Amyclae because of the high school zoning. They moved out of another home within the County into the Colonial Forge district. And this absolutely blows that apart with the 444 homes. I'm concerned about safety, crime coming into the Willows and the other neighborhoods along Truslow. So, I think that's what I have to say. Thank you again for your time this evening; I know it's a long one but we do appreciate it. Thank you. And I hope you do... I do not recommend deferring this. I don't think any number of homes is the right call. This does need to be denied tonight. Thank you.

Mr. Howe: Hi. Jim Howe in the Hartwood District. Glad to be here. Richard, good to see you too. You've heard about all the reasons why this is a really bad idea. I second the motion. This is a really bad idea. Nothing personal. I hope you kill this tonight and put a stake through its heart. Nothing personal. But I want to talk about the land itself because this is really special land. If you look at Google Maps, this is the last stand of undeveloped forest really between Poplar Road and I-95. This is it. For those of us who live on Truslow, okay, this is the buffer that keeps us away from the churn and the chaos and the noise of Route 17. This goes away, you develop it, and we're right in the mix... of the midst... of this craziness. So we don't want that. We're looking for a solution that is not to build a whole bunch of homes and cause a lot of chaos. We're looking for a long term solution. So, we're asking the Ward Corporation to rethink its plans, to take this development and retire these blueprints, and go in a totally different direction. We'd like to see the Ward Corporation commit to designating this beautiful 148 acres of undisturbed woodland as a permanent wildlife sanctuary. Now, there's a lot of ways they can do that. One of them, for example, is they can donate this land to the Humane Society Wildlife Land Trust. They're up in Washington. You can go visit them; they're right off 23rd Street, Northwest. Their phone number is 1-800-729-7283. Ask for Linda. They have over 100 of these sanctuaries throughout the country. They take care of them. They make sure there's no further development. That would be a wonderful thing to happen for this one last wedge of undeveloped land that separates the rural character of where we live from Route 17. So, why would they want to do this?

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Well, there's four reasons. One is they wouldn't have to put up with this anymore, okay. Second is donating the land, they don't have to worry about the property taxes anymore; that's the trust's problem. Third, donating the land to a 501(c)(3) charitable organization could be potentially a big tax windfall for the Ward Corporation. I don't know if any of the guys you brought in suits are tax lawyers but you might want to talk to them about that. It could be a big windfall for you. But more importantly, this is the right thing to do., okay? The Ward Corporation has built a lot of homes around here. We live in one of them. You can establish a positive and lasting legacy with Stafford County by dedicating this land to the environment. You can make a wildlife sanctuary. Let's call it the Ward Family Wildlife Sanctuary. That would be here forever and it would be a lasting legacy to your family and your corporation because anyone can come in and cut down the trees and level land and build a whole bunch of houses. That's what developers do. It doesn't matter the needs of the community or the wants of the community. We're asking you to do something extraordinary, something different, something that would be a legacy forever. And if you choose this path, we'll be with you every step of the way. Thank you very much.

Ms. Vanuch: Thank you.

Mr. Averett: Good evening. My name is John Averett. I live in the Willows. I'm probably the only one here other than the applicant that thinks that the collector road is a positive. It would give me a safe way to get from Truslow, from my neighborhood to 17, other than trying to run down Truslow and then through Cardinal Forest. I also think that the pedestrian path that they're going to offer is a positive, but it comes way short. It still leaves three quarters of a mile from Poplar to it and another mile and a quarter to Berea Church. So, it's kind of an empty promise. I will not reiterate... well, I will reiterate what everybody else has mentioned about the impact on schools and Truslow. It's a very dangerous road. It really needs to be widened to a point where it could support more houses. At a transportation meeting some while ago, we were told that to widen that road like they did Mountain View and then Truslow earlier on is like eleven million dollars per mile. So, I mean, until the County can come up with that kind of money, to kind of widen that road and support what the applicant wants to put in there, I believe this should be denied or relooked at in regards to the number of homes they are actually going to put on there. Thank you.

Mr. Lama: Good evening. My name is Carlos Lama. I live in the Harwood District. I requested this rezoning be this disapproved. I do not support the development. I do want to thank all the concerned citizens that have come to express their thoughts. There are many valid concerns that have been raised. I believe that most... most of all most of us agree that there are definitely safety concerns, so I don't think that can be overemphasized. So, I'm here to speak on that. I commute. I use Truslow Road. I drive it in the peak hours that were mentioned, you know, between 5:00 and 6:00 a.m. in the morning, 5:00 and 6:00 p.m. in the afternoon. And I think... I really believe at that time, the road is the most dangerous. People are speeding. Everybody's in a hurry to get to work. I have been, you know, closely run off the road. I have seen many accidents happen at that time period. Truslow is already a... it's already a dangerous road. Approval of this rezoning would increase traffic by the numbers that were shown. The condition of Truslow again is... everybody has said it's very poor, it's unsafe, it's narrow, many sharp shoulder drop-offs. The blind curves is a big concern coming out of summer... coming out of Cool Breeze, you know, the roads are just speeding, you know, coming from the north. So, that's a dangerous intersection right there or a dangerous spot. A lot of vehicles are speeding at all times. The points of entry that have been proposed, really most of the traffic, commuter traffic driving up north, they're going to get on Truslow Road; they're not going to get on 17. You know, that's the preferred commuting path to 95. Again, you know, the numbers that have been shown are going to add significant numbers. And there's also just a, you know, I have personally have made changes in the way that I commute just because of the danger on Truslow. I avoid it in the evenings. You know, I'm trying to move my start work time during the daylight hours. I'm trying to get back home a little bit earlier just

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because especially at night as well it's just I cannot see where those shoulder drops off. So, again I hope and trust you will make the right decision for the safety of Stafford citizens and disapprove this rezoning. Thank you.

Ms. Vanuch: Thank you.

Ms. Stiltner: Hello. My name is Linda Stiltner. I'm delighted that you changed where he originally had it coming. Everything down to Cool Breeze Way, it's a very, very curvy section on both sides of that road and it would have been a disaster. As I told him when we had the community meeting, it is something that I would never be able to get out of my subdivision if I try to get out from where I live right on the corner. Traffic has been mentioned by a lot of different people. I cannot believe when I read about 74... over 7,400 vehicles per day increase. Oh my goodness! You've been listening to everybody's talking about traffic. Not a person is lying to you. It's absolutely true. I think that Ward, to his credit, has done a lot of thinking, a lot of moving. Do you know originally he was going to have the townhouses right there on Truslow Road. Thank God he moved that to the middle of the thing. But I would feel much, much better if he would just do away with the townhouses altogether. He has a by-right way of being able to build some homes and he could build some beautiful homes. And it's still going to increase traffic but at least it would be... it would keep the sense of community that we have. And I think that's really important that we have in Stafford. Stafford has changed so much in my 40 some years that I've lived in Stafford, both in North Stafford and 19 years here in the Willows. But it is... the traffic is just horrendous. It's especially bad once they were working on 17. So everybody's found Truslow Road 'cause hey, it's a direct thing to Enon down to Route 1 or you could go through the shop... to the shopping centers and go to the grocery store and even cut through where the Target thing is to get on to 95. So a lot of people use it but now it's being used so much you can't even get on 95 from those back ways for three or four minutes. And it's just... it's just so much and not a person here has not brought up some very, very good points. So while I commend Mr. Ward for some of the changes that he's made, he's really trying to be I think dutiful but I think he's being a little bit too -- being sarcastic here -- a little bit too cautious about trying to up it to the very max number he can get. So I urge you to go ahead and just please, please deny this. It's just not anywhere near ready until Stafford is ready with its infrastructure, wider roads, other things. So, I hope that you take what the people have been saying under real consideration. And I have to say that a number of years ago we went through the Planning Commission. I was very disappointed that you all went... well, not you guys but, you're a different group and I applaud you... but they had a unanimous decision to go ahead with it. They said we could go to the meeting but we couldn't speak. I went to the meeting. There was no one... not one recommendation that we made that was addressed. So I'm pleased to hear your comments that you're making; you're very thoughtful people. Congratulations.

Ms. Vanuch: Thank you. Would anyone else like to come down? And if you just want to keep lining up I think we're kind of getting close to the end.

Mr. Oltman: Right, so in the interest of time I'll give you some back. My name is Jeff Oltman, I live in the Willows and thank you for your service. I'd like to thank all my neighbors. They came up here and described all the issues that I didn't know about. It was really that I'm surrounded by it in my neighborhood so I learned a lot and I'm grateful for this forum. The one thing I would want to say that's different, because I do support my neighbors, Lisa, Scott, John, and especially Jim's idea, about the rezoning idea and making it the, you know, preserving it as a habitat and leaving it alone. The transportation study I noticed, or maybe I missed it, really focused on all the rush hour traffic and peaks and ebbs and flows through the week. But to really experience all the mayhem, it's the weekends. It's Friday beach traffic. It's Sunday going home. And I feel like I'm sometimes a prisoner in the neighborhood because I know if I go out there on noon on Saturday, it's going to double my time to get

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wherever I'm trying to go on 17 or other points. So, I did want to bring that up. So, this is our home, this where we live. And it's hard to bring all this in and... because it's so personal and when you're not a part of it, I really think, Mr. Ward, if you lived here you would think this is not a good idea. There are things here that just don't make any sense to me and I think everybody described and I think the study pointed out. So I just wanted to recommend or give my support to killing the whole idea of the rezoning. Thank you.

Mr. Waldowski: I'm not in the Hartwood District. Ha ha. Paul Waldowski. I'm not in the Hartwood District which is also gerrymandered. If you don't believe it, Colonial Forge is in the Rock Hill District. You're going to see 2021. If I win Powerball tonight, I'll buy that 140 acres from you. I also owned a townhouse for 20 years in Cabin Creekwood and thank goodness my son was on an internship in 2009, and he said Dad, this is not the same neighborhood that I grew up in. So, I don't own townhouses for a reason. Now, one of the statements tonight I heard about single-family residents with 80 feet. One of the problems in this County is there is no such thing as feet when it's dealing with land. That's why I'm running for the Commissioner of Revenue. It's called acres. That's how you record land folks -- acres. It doesn't matter if it's a condominium, a townhouse, a single-family home, it's acres. That's how it's assessed. Let me clear up for you that the Planning Commissioners are not volunteers. They're selected and they get paid a stipend; \$10,000 a year. School Board members are elected; they get \$12,000 a year. If we get rid of two of each of those and two of the Supervisors, we'll save \$384,000 a year. Guess what you could do with that for schools? Stormwater Management is my passion. There is a stormwater manual. The 2014 Edition, there's a 2003, I think there's a 2008, and there's one more in between. You need to go into that, go to the appendices, Chapter 11-2 will give you to the stormwater ordinances. If you have water problems, there's a group. If your HOA has covenants, the County has to enforce those covenants. It's amazing how my father comes back to me every day and it goes to (inaudible) his son. It's the things you don't know. Well, citizens, it's the things you don't know. You're in a Commonwealth where common sense is not common. Development is crazy. The County has grown every 20 years in population from 1960. It was 128,910 in 2010; in 2020 it won't double because Quantico is 55 square miles. The other 45 is in Fauquier and Prince William. The Chesapeake Bay watershed shined on this County. I just love to watch that developer D.R. Horton just squirm when the compaction test failed because all that water came on Shelton Shop Road.

Ms. Vanuch: Would anyone else like to come down and speak? Okay, Commissioner English, would you like me to close the public hearing or would you like me to leave it open?

Mr. English: I'm going to leave it open if you don't mine.

Ms. Vanuch: Okay, so we're gonna leave the public hearing open and we'll determine to a date certain when we have a motion later on.

Mr. Harvey: Madam Chairman?

Ms. Vanuch: Mr. Harvey?

Mr. Harvey: Will there be rebuttal by the applicant?

Ms. Vanuch: Okay. Yes, there will be a rebuttal but I just wanted to make sure that I knew whether to close the public hearing or leave it open. Would you like to come up at this point?

Mr. Ward: Madam Chairman, Commissioners, I know it's been a long night for everybody and I'm super grateful that many of these people that I've already met have come out and reinforced some of

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their concerns. I'm also grateful for the fact that I do believe that we can address a lot of these issues and that the plan still obviously needs a little bit of working before this Commission or Board would vote for it. I know who the Chairman for Parks and Recs, what his passion is, and I know what door I'll be knocking on probably in the next couple of months to discuss with about Parks and Recreation. And I do think that both Cardinal Forest and Willows have been energized by this and I do present... we'll present a public hearing for them to come meet me again and see changes that we've made to this plan to address their concerns prior to being back before this Board, this Commission. Thank you.

Mr. English: I've got a question or two.

Mr. Ward: Sure.

Mr. English: You said you're going to go back and try to redo this plan, is that what you're trying to do?

Mr. Ward: I think there's things that I've heard tonight and they think there's proffers that we can change that can address a lot of these concerns and obviously transportation is one of them. I don't think there's...

Mr. English: Yeah, I don't know what you're going to do with that, that transportation issue.

Mr. Ward: I've got a few ideas.

Mr. English: Okay.

Mr. Ward: And, to go back to that, after the meeting that I had with the Willows association, they came up and said the same thing to me. I went to the president of that association and I said, would you jointly do a traffic safety audit of Truslow Road with me? Of course, the Ward Corporation will pay for it but I didn't want it to seem like we were doing it and controlling the process. They declined to do that with me so we did it anyway, because we wanted to know from professionals what really were the concerns on Truslow Road. So the traffic safety audit is there. It's out there and I do believe that we can proffer improvements to Truslow Road and in the next plan we can change things to make it a lot better and safer.

Mr. English: What about the private road right in front of Royal Farms?

Mr. Ward: Yeah, I think that we've discussed a maintenance and access agreement with Stafford County so that it will always stay open and always be maintained in a fashion, and there'll probably be a bond out there that would make sure that Stafford County has that protected. I don't know the mechanism in which we would actually do that. But that road services commercial and would serve other commercial. And so, our fear is that if it turned over to VDOT, they could close that. And so we love the access road that goes behind the commercial. Everybody goes from one spot to the next. And so for that reasons we... that needs to stay private because the company that built that told me that that needs to stay private. But he was available and amenable to us putting an access agreement and a maintenance agreement in place with the County.

Mr. English: Okay.

Ms. Vanuch: Do you have more questions?

Mr. English: No, uh-uh.

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Ms. Vanuch: I know Mr. Randall has a couple.

Mr. Randall: I do have a couple of questions and you probably know where I'm going with this.

Mr. Ward: Yeah.

Mr. Randall: 2027 was the expected buildout of this, correct?

Mr. Ward: Correct.

Mr. Randall: Alright. And for everybody... I'm sure everybody's aware but there are no high schools, there are no elementary schools in the 10-year CIP. So, just so we are clear, there is no plan to be building anything. So, we need to recognize that the deficit you see will just get worse through the 2027 because at this point time there is no plan in place to build another high school, right? And there are other developments that we have. So I would suggest that what you see here as an impact to the schools is the very bare minimum impact; that it will probably be a significantly higher impact once we get to 2027 and there are other, several other developments that will then have been finished and completed and be impacting to the schools. Okay. So, please remember that when you talk about your proffers and some opportunities...

Ms. Vanuch: Mr. Randall

Mr. Randall: Yes?

Ms. Vanuch: I think we should probably keep it outside of the proffer comments.

Mr. Randall: I got it. So, the next thing is the transportation. You've heard about all of the things with the transportation?

Mr. Ward: I did.

Mr. Randall: There are no transportation proffers. I'm sure you're going to take care of that.

Mr. Ward: Like I said, I've heard all the concerns tonight. I'm very versed in this and I do have a few ideas to handle Truslow Road to discuss potential. Somebody said tonight about schools. I think there's a few things... townhouses. I heard a lot of really good ideas. I'd like to address one issue which was the stormwater management. I'm very familiar with the property line between Cardinal Forest and this property. I'm aware that it's wet. There's a 50-foot undisturbed buffer. We even offered to give that to Cardinal Forest so that there would never be something that we could ever touch again. I do believe that if we follow the rules of stormwater management that the flooding will decrease, because actually what happens on our site currently, no water is detained. So when it rains on our site, it all just goes to Cardinal Forest. So putting in detention ponds, 10-year, 50-year, 100-year, whatever that sizing is will actually help that problem. And the closest house is 175 feet from the Cardinal Forest property and the closest property line is actually 125 feet. On the north side, when I met with the Willows, they talked about a buffer there. My engineer and I discussed the two potential problems. But if you've ever seen one of those buffers that looks like it's got like a flat top, like you... because there's no leaves on the side of the trees after you cut them, is that we could step back that road far enough that we could actually put a berm and vegetate it that they wouldn't see the rooftops from that side. So, the buffer that you see on the north, that incorporates the potential to put a hill there that would create sound and noise pollution reduction. And then if you vegetated it on top of that, they wouldn't see the rooftops.

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Mr. Randall: From Truslow Road.

Mr. Ward: From Truslow road.

Mr. Randall: Have you thought about leaving it vegetated... natural vegetation?

Mr. Ward: So, the problem with natural vegetation is, if you actually look at a forest, like there's no tree... there's no leaves on the inside of the forest, so when you leave 50 feet you can actually kind of see through and there's leaves just on the top. And then when... I think there was a tornado in Stafford, right? So when tornadoes do come, they take those buffers down. They don't take hills down. And so we have a few plans that we'd like to work with. And that was one of the things I wanted to come back and work with the Willows on. We just never got back there. So, I'd like to do that between now and the next meeting.

Mr. Randall: Okay. And I'd be interested in talking to you about the parks and rec...

Mr. Ward: I have some ideas, too.

Mr. Randall: ... One tot lot is insufficient.

Mr. Ward: I did go meet with your Parks and Rec Director. He told me about many of the concerns and I read the report talking about how South Stafford lacks in many, many categories and that...

Mr. Randall: Right, and some of the things that we're talking about is, and this would need to be something that you need to come up with, is something that internal to the community so the community doesn't have to get back on these roads to go do anything, but that there's some things internal that you could put that would make it a more friendly... family friendly type environment.

Mr. Ward: Yeah, we have some ideas. And we'd also like to minimize the impact. And if we did have a community center and a pool, you know, and we did have not enough units, maybe we open that up to Cardinal Forest and to the Willows that they could actually use that pool and that they can actually do those kinds of things. I think there's future... I think there's, you know, I think there's future opportunities to help the other kids that don't have it.

Ms. Vanuch: We got it. Alright, if everybody could just...

Mr. English: Madam Chairman, I'd like to make a recommendation right now. I'd like to defer this till May 29th; leave the public hearing open and then see what they come back with. So, my motion is to defer to May 29th.

Ms. Vanuch: Okay, so there's a motion on the floor to defer this until May 29th, leaving the public hearing open. Do we have a second?

Mr. Bain: I'll second.

Ms. Vanuch: Okay, so we have a second by Commissioner Bain and a motion on the floor by Commissioner English. Any further comments Commissioner English?

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Mr. English: No, I just... I see the problems, I hear what everybody is saying about the traffic issues. I do see that but I think to be fair, let him come back and see what he can come back with. But I do... I understand that, and then like I said, just come back in 60 days and see what you can come up with.

Mr. Ward: I appreciate the consideration.

Mr. English: But I think you're going to have your problems with your traffic issues; that's going to be a big issue and I don't know how you are going to solve that. But, I'm going to give you 60 days.

Mr. Ward: Okay.

Ms. Vanuch: So, there's a motion on the floor so we can't discuss anything anymore. You're good. You can sit down for a second. Mr. Bain, do you have any comments?

Mr. Bain: I was going to but they're minor and I think, as Mr. English has said, we'll allow him to make some changes and come back. Thank you though.

Ms. Vanuch: Okay. Does anyone else on the Commission have any comments? Okay. I just have a couple. So, as many of you guys are aware, I've been on the Commission for four years and we've had a couple of rezonings come before us; Cardinal Forest... Cardinal Meadows was one of those in the Rock Hill District. I want you guys to know that by us deferring it doesn't mean we're going to approve it. It doesn't mean we're gonna deny it. It means that this is the normal process. You know, very rarely, I don't think we've ever just heard one item on one night and made a complete decision for a project of this magnitude. Our position is to recommend things to the Board of Supervisors. They're the legislative bodies so they're the ultimate decision makers. We could turn this down tonight 7-0 and then they could approve it 7-0. So, our goal is to bring out all the issues into the light so that the developer has an opportunity to work on it, that the public has an opportunity to voice those opinions so that you guys are fully aware of the project in its final state as it approaches the Board of Supervisors. And that way they have the most realistic option in front of them at that time and that you are prepared to be able to attend those public hearings and voice your opinions on that final version. So, as I understand a lot of you guys want us to vote it down tonight, and I tell you, I hear the concerns. I've driven on Truslow, I also drive an F250 with a horse trailer and I've had to avoid that road going to horse shows because it's just too difficult to drive on. So, I'm inclined to want to do that. But in all transparency and fairness, it really is a benefit even to you guys to try to work out some of the issues and find out how this project changes because there could be many, many changes by the time it gets to the Board of Supervisors and we encourage you both... we encourage you all to keep track of it because we're just the first line of defense. We are not the decision makers. So, I just wanted to make sure that everybody in the room really understood that process. So, those are those are my closing comments. Okay, so we have a motion on the floor to defer until May 29th and you can still come back and speak at that meeting. Go ahead vote. Tally the vote. Okay, motion carries 6 to 0 with one abstention (*Mr. Apicella abstained*). And we're gonna take a 5 minute recess to allow you guys time to get out of the room.

Meeting recessed: 9:52 p.m. - 9:58 p.m.

Ms. Vanuch: Thank you everyone. We're going to have to start this meeting off with a motion to waive our By-laws to extend the meeting past 10 o'clock. But I have been informed that a few members... Commission members' bedtime is at 10:00 so, I don't know if we're gonna have the votes. Anyway, do we have a motion on the floor?

Mr. English/Mr. Randall: So moved.

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Ms. Vanuch: Okay.

Mr. Randall: Second.

Ms. Vanuch: So a motion by Commissioner English, a second by Commissioner Randall. Any comments?

Mr. English: No ma'am.

Mr. Randall: No.

Ms. Vanuch: Okay, go ahead and vote. Okay, motion carries 7-0. So, now we are onto item number 4 on the agenda which is the Comprehensive Plan Compliance Review for Graystone at Abel Lake and for this item we recognize Ms. Eva Campbell.

4. COM19152658; Comprehensive Plan Compliance Review - Graystone at Abel Lake - A request to review compliance with the Comprehensive Plan, in accordance with Virginia Code Sec. 15.2-2232, for the extension of public water outside the Urban Services Area, to serve up to 50 lots, on Tax Map Parcel Nos. 37-4, 37-4C, and 37-4D, located south of Kellogg Mill Road, approximately 4,500 feet west of Mountain View Road, within the Hartwood Election District. **(Time Limit: May 26, 2019)**

Ms. Campbell: Good evening Madam Chairman and fellow Commissioners. I'm here to present item 4 on the agenda which is a Comprehensive Plan Compliance Review for Graystone at Abel Lake. The Planning Commission is to consider a request for compliance with the Comprehensive Plan in accordance with Section 15.2-2232, of the Code of Virginia, for the extension of public water outside of the County's designated Urban Services Area to serve up to 49 lots on Tax Map Parcel numbers 37-4, 37-4C, and 37-4D. All three parcels are zoned A-1, Agricultural, within the Hartwood Election District and have a combined acreage of 167.02. The subject property is located on the south side of Kellogg Mill Road west of Mountain View, and all of the surrounding properties are also zoned A-1, Agricultural. This map shows the subject property along with the current boundaries of the Urban Services Area and all existing water lines. This project proposes a connection to the existing 8-inch water line on Kellogg Mill Road approximately 800 feet from the property which is now considered a dead end line. So, just since this is a big map it's extending from here to here.

Mr. English: It's not marking.

Ms. Campbell: I think it's a little lagging.

Ms. Vanuch: (Inaudible) marked; it's just blue.

Ms. Campbell: Oh, yeah, it's blue, so I just extended the blue to the property.

Ms. Vanuch: Where's Waldo.

Ms. Campbell: You had to look closely. Okay. Water quality in the line quickly deteriorates if not flushed on a weekly basis. The additional usage provided by the proposed development will alleviate these water quality issues by providing regular turnover and avoiding the need for extensive flushing of the line. This site features a wooded area of about 120 acres, and around 40 acres of the site is contained within the Abel Lake Reservoir on parcel 37-4. There is Critical Resource Protection Area establishing

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a 100-foot buffer to protect the areas along the shoreline of the reservoir and along streams within the site that feed into the reservoir, and there is approximately 1,000 feet of frontage along Kellogg Mill Road. The concept plan submitted by the applicant shows the proposed connection to the existing waterline on Kellogg Mill Road east of the site, extending the waterline 800 feet down the road to the property and along the frontage of the site and internally to serve all 49 lots. Stafford County's Utilities Ordinance, Section 25-71, of the County Code, requires connection to public water for all new residential units outside of the Urban Services Area provided that the Public Works Department determines that the cost of said connection is not higher than the standard defined in the Stafford County Code. The Director of Public Works determined that water is required to be extended as the cost does not exceed the current threshold of \$2,513 per lot. The Comprehensive Plan designates the subject and surrounding properties within the Agricultural/Rural Land Use designation, and a majority of the property also lies within the Central Stafford Business Planning Area. Objective 1.4 of the Comprehensive Plan discourages growth in the rural areas outside of the Urban Services Area. This objective is supported by discouraging the extension of water and sewer lines outside of the Urban Services Area with exceptions. Policy 1.4.2 states, "Water and or sewer should not be extended beyond the current boundaries of the Urban Services Area without the following exceptions: Allows for the extension of public water utilities outside of the Urban Services Area only to improve water quality by completing loops for water lines previously constructed." The proposed extension of public water would be consistent with this policy as it provides more users on the current waterline along Kellogg Mill Road. The additional water usage will also improve water quality. Though not designated in the water and sewer master plan, the Utilities Department acknowledges that the extension of the waterline would be desirable in the future to complete a loop with an existing waterline along Mountain View Road. There is also a concern for the groundwater availability for private wells identified in the Comprehensive Plan which also supports connection to public water. A groundwater resources evaluation for the Piedmont Aquifer, adopted as part of the Comprehensive Plan, recognizes that the geology in this region can negatively affect well water yields. The study identifies this site in a location where low well yields may be present. We also attended an HOA meeting with the neighboring subdivision, Abel Lake Forest, where some of the residents expressed interest to also connect to public water because of inadequate wells. Public waterlines would also better support fire and rescue efforts in this area. So, the positives that staff found for the extension of water include that the extension of public water in this location furthers the Utility Department's plan to complete loops for waterlines previously constructed ultimately improving water quality; it provides better fire and rescue service; and it avoids potential low well yields in this area of the County. And the negatives are that it's inconsistent with Growth Management Objective 1.4 as this action would support growth in rural areas. Staff recommends that the Planning Commission find their request to be in compliance with the Comprehensive Plan pursuant to Planning Commission Resolution PCR19-01. Although the waterline extension promotes growth in a rural area of the County, staff believes that the property that is to be served by public water is in compliance with the Growth Management strategy of the Land Use Plan. That concludes my presentation. Thank you.

Ms. Vanuch: Thank you Ms. Campbell. Would the applicant liked to come up and address the Commission.

Mr. Apicella: Madam Chairman, don't we get to ask questions?

Ms. Vanuch: Oh, I'm sorry, do you have a question for Ms. Campbell?

Mr. Apicella: I have several questions.

Ms. Vanuch: Okay, go ahead.

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Mr. Apicella: Ms. Campbell, thanks for your presentation. Can you just briefly tell us what's the purpose of a Comp Plan Compliance Review?

Ms. Campbell: I'll read directly from the State Code for that. So, that section, it's Section 15.2-2232: "Whenever a local planning commission recommends a comprehensive plan or part thereof for the locality and such plan has been approved and adopted by the governing body, it shall control the general or approximate location, character and extent of each feature shown on the plan. Thereafter, unless a feature is already shown on the adopted master plan or part thereof or is deemed so under subsection D, no street or connection to an existing street, park or other public area, public building or public structure, public utility facility or public service corporation facility other than a railroad facility or an underground natural gas or underground electric distribution facility of a public utility as defined in subdivision (b) of § 56-265.1 within its certificated service territory, whether publicly or privately owned, shall be constructed, established or authorized, unless and until the general location or approximate location, character, and extent thereof has been submitted to and approved by the commission as being substantially in accord with the adopted comprehensive plan or part thereof."

Mr. Apicella: That's quite a mouthful. Do localities use public water and sewer as growth management tools?

Ms. Campbell: Yes.

Mr. Apicella: And is it... can you pull up that slide that shows the waterlines in this particular lot?

Ms. Campbell: Yes.

Mr. Apicella: So, is it fair to say that the applicant's parcel and numerous adjacent parcels are outside the Urban Services Area?

Ms. Campbell: Yes, approximately 537 that you could see in this view here.

Mr. Apicella: Five hundred thirty seven parcels?

Ms. Campbell: Yeah. To water, yes.

Mr. Apicella: Wow! And the Comp Plan was approved by the Board in 2016. This parcel was not included in the USA but I see an area just to the southwest that was added to the Urban Services Area. That's correct, right? That little island there was not part of the Urban Services Area before.

Ms. Campbell: I'm actually not sure about that question.

Mr. Harvey: Madam Chairman and Commissioner Apicella, staff can get back to you on the details on when that became an Urban Services Area. It may have been as an Urban Services Area in the 2010 plan but I don't specifically recall.

Mr. Apicella: I guess my point is there's a gap between the Urban Services Area to the right and the island, I'll call it, to the southwest, which is where those 500+ parcels outside the USA are, right?

Ms. Campbell: Yes.

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Mr. Apicella: And at some point time and presumably in 2016 the Board, the Planning Commission could have chosen to add some or all of this 530 lots to the Urban Services Area but chose not to for whatever reason. I was on the Commission, as I said before, back in 2012 when we looked at a similar Comp Plan Compliance Review case; that was the Jumping Branch Farm situation. In that situation, the property was immediately adjacent to both the Urban Services Area and had public water and sewer lines right next to the parcel. So I'm trying to understand... in that case the Commission denied the request. I'm trying to understand how this situation is different from that situation.

Ms. Campbell: I believe that the Comprehensive Plan was more restrictive in this policy in that year. In 2010 the policy stated that water and/or sewer should not be extended beyond current boundaries of the USA for residential projects with exceptions, and the only exception was allows for the extension of public sewer utilities outside of the USA only where there has been documented risk to public health and where application of the current pump and haul policy would be financially excessive to County utility rate payers. But there was no other policy for the extension.

Mr. Apicella: So, the policy now is just to extend it when it serves the needs of the Utilities Department and the utilities program? I'm just trying to understand what that policy is and how it's driving a potential change here.

Ms. Campbell: The current policy that we're basing this off of is 1.4.2... I'm trying to see where I have that listed.

Ms. Vanuch: You had it on a slide a few ago... to improve water quality.

Ms. Campbell: Oh, yeah, right here.

Mr. Apicella: So, again, I'm trying to understand how this policy would not... if this were approved for this specific parcel, doesn't this same circumstance exist in the immediate vicinity to this parcel and, quite frankly, to hundreds if not thousands of other parcels throughout Stafford County?

Ms. Campbell: I think maybe Mr. Towery would better answer utility questions.

Mr. Tower: Thank you. Good evening. Mr.... Jason Towery -- I almost said Mr. Towery -- Director of Public Works. Could you restate the question please?

Mr. Apicella: If this were approved, this Comp Plan Compliance Review, I'm trying to understand if I go back to that slide that shows the lots that don't have public water, presumably the adjacent lots are similarly situated where there water quality would also be improved if they had public water. So, and I think I heard the number of 500+, and as I look at this slide there are hundreds of other parcels throughout Stafford County whose water quality, my water quality would be improved if I were on a public line. I wouldn't have to have a filtration system and I live out in a rural part of the County. So, I'm just... again, I'm trying to understand the nexus to why this is special or unique compared to other similarly situated properties, both in the adjacent area and throughout Stafford that don't have public water.

Mr. Towery: Sure. That's a great question and actually let me back up for a minute to the previous question, too. So, the... this piece of the Urban Service Area, I started with Stafford in 2013, I know it's been a part of the Urban Service Area since that time so it would have been prior to the 2016. I was trying to pull up the old master plan from 2006 that showed this but I'm fairly confident that this was identified as part of the Urban Service Area even in the 2006 master plan. Matter of fact, if you go back

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to the 2006 master plan, we actually showed water lines extensively outside of the Urban Service Area as far out almost up to the Fauquier line. At the time, during the older Comprehensive Plan, water was not restricted outside of the Urban Service Area the way it is now. So, that probably goes to answering to... at least to the question of how we got to the point where there is so much water outside of the Urban Service Area now. There's actually approximately 2,200 water accounts outside of the Urban Service Area, so, about 2,200 homes or businesses outside of that that have that. To your question about the loops, two things come into play here. One, when we run, and again, we're, to be frank, we're not concerned about... and this will sound harsh for a minute... but we're not concerned about the individual homeowners' water quality if they're on a well. That sounds harsh from the standpoint that we don't care about people. Certainly, we want to make sure that people would have opportunity to have good drinking water. But the intent of the looping is really to protect the water quality within the municipal water supply system. So, for instance, in a case like this when you reach the end of an extensively long line where there's not a lot of use, regular turnover in that line becomes a problem. And so we're regularly flushing it so that the water quality would not degrade. So, what we do when we create loops is essentially water can move in a circular motion through the loop and move from one area of the system to another and constantly allow water to turn over within that line. So, that's the intention behind looping policies if you will. The other piece of this in that... so there's two areas that this really gets into here; one is if you... I'm going to try to draw on this so stay with me for a second, I haven't done this in a while. If you look here at where the parcel is and where the Urban Service Area extension satellite portion is there across Abel Lake...

Ms. Vanuch: It's not drawing.

Mr. Towery: ... sorry, I haven't (inaudible) yet. The idea would be to essentially bring water... is it drawing, there we go... down through something along that manner. And that's to do two things: when we run water lines, we always look to provide redundancy so that if let's say you had a water line break appear, you would still be able to serve the property from the lower area and likewise the reverse would be true. It also provides again for proper inadequate water turnover and proper inadequate water supply. The only other reasonable way to get water to this Urban Service Area satellite piece out here would be some sort of either to, (a) try to bring back on the old Abel Lake water treatment facility which has been mothballed. That would be an extensive process for the County, or (b) to put in some sort of large groundwater treatment system that would use well... groundwater wells to try and serve that property. So, while there is not currently in the master plan a design... I can't point to a line that says, you know, this is the proposed waterline alignment through there, the master plan does contemplate water being provided to that area through the municipal water supply and that's how we would go about doing it.

Mr. Apicella: So, again, I understand this from a utility perspective. I'm looking at it from a planning perspective, and also from a fairness vantage point. So again, I see how this would benefit the parcel and I see how this might benefit the Utilities Department in its long term objectives. But I'm also looking at all the other neighboring lots and why or how is this specific parcel different such that it should get water lines versus all the other ones that are nearby that wouldn't necessarily get water. And if it comes to pass if we approve this, why wouldn't we have dozens of other Comp Plan Compliance requests to do the same thing and we end up with a spider's web trying to accomplish ultimately what you want to achieve which I think is a (inaudible) goal but goes against the objective of trying to use water as a growth management tool thereby spreading water throughout the rural parts of Stafford County when that goes against the comp plan policy and the objective of managing growth by, you know, limiting where infrastructure is placed.

Mr. Towery: Sure, that's a great question and I would probably just point out that regardless of how the Planning Commission were to decide tonight that that could still happen. There is currently, I mean, we

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have a water and sewer extension policy that allows for or provides for the ability to extend water outside of the Urban Service Area with Comp Plan Compliance Review. So, any one of those parcels, homeowners, neighborhoods out there today could petition to have public sewer... public water or sewer extended to their neighborhood and they would go through a process that at one point or another outside of the Urban Service Area would have to come through this body for a determination.

Mr. Apicella: I'm sorry, I'll just end with this last question then. Wouldn't it make more sense to do this in a grander way, in a more deliberative way, to determine where it's best to extend water like perhaps doing a Comp Plan amendment and/or waiting until we update the Comp Plan to decide where water should be extended so that we're not doing it in a piecemeal fashion and treating some folks better than others.

Mr. Towery: I think that if, in taking a look at where the Comp Plan is today, right now, this is how we would look to provide water. Certainly, if the Comp Plan was amended, you know, we could consider this further if there would be other ways to provide water service to that area. But if, as the Comp Plan currently stands, this is how we would look to provide water to that satellite area.

Mr. Apicella: Thank you.

Ms. Vanuch: I just have a quick question. You sent an email, it was part of our staff report, I think it's Attachment 3, page 14 and 15, and you get... I'm going to summarize it... long and short of it water is required to be extended as the cost does not exceed the current threshold of \$2,513 a lot. I think Eva alluded to that in her comments. I've included my spreadsheet below. You'll note that the average pricing from the three contractors, all of whom are local, are approximately 67% of blah blah blah blah. You go on and so essentially the numbers boil down to the developer on this case can build in the cluster concept plan technically by-right 50 houses or below. So there's nothing we can really do to stop the subdivision. I believe he can put wells on the property already and wanted to put wells, but it looks like in this e-mail you said you have to connect to public water which is why he's here and the cost difference was literally \$605.50. So, we're here tonight over \$605.50. So I just... can you expand on that a little bit, like why that email got sent and why you're requiring him to hook up?

Mr. Towery: Sure. So, the developer approached the County, I want to say it was back in the fall, and had some questions about how... whether or not water, public water would be required at this property. In the process that we typically go through for that, under Chapter 25 requires that the developer basically submit an estimate of how much waterline would need to be extended. So, first off, we come to a determination of what is required to be extended how far. So we determined it to be approximately 800-foot, I think was 790-foot, and then we go about taking an average, in this case, of the current local cost estimates that we would find with most of our local contractors. So, the average cost in there that was in there that was just taken at face value. We determined based on the amount of, you know, construction, the cost of the material, and so forth, that would be required to bring water to that property to be at \$115... almost \$115 almost \$116,000 and you're correct there is only about a \$500 difference between that and the threshold. Chapter 25 establishes a number that's based on an E&R index, it's a cost index that fluctuates with construction pricing over time. And so the current index value for that puts it at a little over \$2,500 per lot. And so, at that point, the decision was made that with the 46 lots that we were looking at, at that point I believe was 46 in that calculation, that that was the cost to extend water. You divide that cost by 46 and you get a dollar per lot. And it was just above the \$2,513.

Ms. Vanuch: Okay. Mr. Bain?

Mr. Bain: Yes. The \$116,000, does the County pay that or does the developer pay that directly?

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Mr. Towery: The developer.

Mr. Bain: Okay. The map that showed the layout of the line, the site plan... now I've lost it.

Mr. Towery: Is this the one?

Mr. Bain: Yes. Before this extension you had one dead end pipe. With this layout, it seems to me you have three dead end pipes now. So, you're going to now have flushing on three lines rather than one. Does that concern you or...?

Mr. Towery: Well, we actually wouldn't have... we would expect actually our flushing activities to significantly decrease. Flushing, essentially water becomes stagnant when there's no demand on the line. So the addition... additional say 50 lots out here would add about a quarter million gallons per month of additional demand to that line which would provide the adequate turnover needed.

Mr. Bain: Okay. So, the end of each of those lines within or serving the development are actually...

Ms. Vanuch: I think there's only two though. Is there...? There's a connection right here, Mr. Bain.

Mr. Towery: This piece is looped.

Ms. Vanuch: Yeah.

Mr. Bain: Oh, okay.

Ms. Vanuch: It's hard to see because it's that dark blue one the black.

Mr. Towery: There's a small stub here.

Ms. Vanuch: Yeah.

Mr. Bain: Yeah, mine does not show loop at all so. Okay, I'm sorry. So, those are all laterals connected directly to the housing units there. Is that right?

Mr. Towery: Yes. So each home would have a service line.

Mr. Bain: So, your water main that you had marked to extend to be a loop would actually be... would not include the line that comes down Kellogg Mill Road to serve those individual homes.

Mr. Towery: This... I'll try a different color here... you're talking about this piece right here?

Mr. Bain: Yes.

Mr. Towery: This again is just again conceptual level and we would have to talk with the developer about how or where that might come. But right now we would expect that the demand... I'm going to try even a different color here again... the demand at this spot right here would increase such that we would provide adequate turnover in this section of the line. There's roughly, and I did a calculation earlier, I think it's about the average home turns over about 5,000 gallons a month and looks to me there are about 10 homes in that stretch, so 50,000 gallons a month would be enough to turn that line over regularly.

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Mr. Bain: Okay. Alright, that's good.

Ms. Vanuch: Mr. Randall?

Mr. Randall: I have a couple questions. The 800 feet you're talking about, if you go back to the same drawing you were just, sorry. Can you go to the closer one? The one you were just at.

Mr. Towery: Oh, okay. This one.

Mr. Randall: There you go, yep. The 800 feet -- are you talking about 800 feet the entire loop, the entire down Kellogg Mill Road, that's 800 feet? That seems pretty short for...

Mr. Towery: The 800-foot is rough... it starts right about here. This is the piece of 800-foot right in here.

Mr. Randall: Okay, that's all you count...

Mr. Towery: Correct.

Mr. Randall: ... to bring...

Mr. Towery: To the property, yes.

Mr. Randall: ... property. Okay, and that's because that would be normally the County's price for that and now you're going to take it to the developer?

Mr. Towery: So, the way that the code reads is the cost to extend to the development.

Mr. Randall: To the development.

Mr. Towery: Correct.

Mr. Randall: Okay. Alright. So, the question then is, is anything that we have, and this goes to Mr. Apicella's point, really 800 feet is the max amount as long as you've got more than 46 lots in a development. Eight hundred feet is about where the standard is for whether you're within the amount of \$2,500 per lot or outside the amount of \$2,500 per lot, is that correct?

Mr. Towery: Yes. I would think if they, let's say doubled...

Mr. Randall: Given all the other prices would be relatively the same.

Mr. Towery: Yes.

Mr. Randall: Eight hundred feet is about the limit.

Mr. Towery: I think that's fair.

Mr. Randall: Okay. Alright. So, then if you go back to the one you had before, the drawn back one, you'll pretty much then, to extend the line to a development, anything that shows off anything that's 800

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feet from any of these blue lines would fall within the required application of needing water. Can I make that statement?

Mr. Towery: So, not... well, not necessarily. It really depends, for instance, if this were 20 lots.

Mr. Randall: Assuming 45 or 46 lots would be the minimum, anything... any development more than 46 or 47 lots, 800 feet is about the right amount.

Mr. Towery: Given similar constraints, sure, yes. We would, based on today's costing and similar constraints, you know, it's cheaper to build, you know, through green field than it is next to a road.

Mr. Randall: Absolutely, absolutely. And according to the exception it says to loop the lines -- we're not looping the lines here, we're adding 800 feet to a section that may be 20,000 feet, if you're going to comply at all the way down to the bottom, right? So, we're really not completing a loop, we're just adding a section to the loop.

Mr. Towery: That's correct.

Mr. Randall: So, it's really not meeting the actual exception, but it is adding the more flow and it is adding more flushing capabilities or doesn't require as much flushing.

Mr. Towery: Yes.

Mr. Randall: Okay. Alright, thank you.

Ms. Vanuch: Okay, any more questions before we... okay.

Mr. Apicella: Madam Chair, just one more question. I know this is not the criteria although it used to be and it makes sense to me when it was there that serving the lot owners interest is as important as serving the Utilities Department's interest. So, my question is, have any well studies been conducted on various potential lots on this parcel to demonstrate low yields and/or to document risk to public health and safety?

Mr. Towery: Mr. Apicella, I'm not sure if the applicant has done any specific well studies on this parcel. Again, the overall study that the County recently did did show that there are pockets within this area that have low yields, low wells.

Mr. Apicella: In this area. I mean, from a 20,000-foot level, but in terms of this specific parcel, as I look at that Piedmont study, it's not very granular certainly as it relates to this specific property. They could do well study and find there's adequate water or vice versa. We don't know at this point in time.

Mr. Towery: Sure.

Mr. Apicella: Thanks.

Ms. Vanuch: Okay. Will the applicant now like to come up?

Mr. McCallister: Good evening Madam Chair, members of the Commission, staff, and thank you Mr. Towery for being here tonight. I just want to say when we kind of started this journey with going through the process with this property, we were... we thought we were probably going to have to do

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wells. And we were okay to do the project that way. We know, you know, from experience of all the well drillers that I have used over the years that we would have confidence that we would get wells. They may just have to be a little bit deeper. And I know you can get into all kinds of studies and stuff and doing, you know, to do that, but I use these drillers that have drilled a lot of stuff in that area. You can get good information just from them to kind of get a good feel. But as the journey started moving on, we... and we had several meetings with staff and in it came about that, you know, for public water came up which, like I said, I would find to do the project on wells, but when it came about with Mr. Towery that, you know, you get into doing the comparison that we talked about that numbers wise that the desires of the County would be that we would really need to put this on public water and we didn't meet the threshold to stay with the well route. So, but with the route of public water, when that came available, we were then great with that idea. That's even... I think it's better all the way around for the whole... the area, it's better for the end user. And yes, the water... you know, we all know the well issues that are out there in the County. So, like we said, we were okay to do it either way, the project, but we're glad to do it on public water. And it appears as though... I mean, that's the way the County, they wanted us to. But we have to come before you to, I guess, to be in compliance and we felt like we were meeting the, you know, we were meeting the compliance. But that's about all I know to say. I'm happy to answer any questions.

Ms. Vanuch: Does anybody have any questions for Mr. McAllister? Anybody? Okay, thanks. Okay then, why don't we go ahead and open up the public hearing portion of this meeting. So, if anybody is here to speak on this compliance review, please come on down. You got 3 minutes. I'm sure you've heard me say it 15 times tonight so no need repeating.

Mr. Kelly: So, my name is Scott Kelly. I am the Vice President -- the President couldn't be here this evening, Jeff Jackson -- of the Abel Lake Forest Homeowners Association. So, I live next to this place and my well has run dry, so I don't want to have 50 more holes in the ground nor do the residents of our community want 50 more holes in the ground. The residents who live closest to the lake, the Yeely's, Ken Yeely and his wife, Lynn, who were school teachers at Forge are now retired there. Their well has run dry. We don't need any more holes in the ground. I've lived that dream. I've been a resident of Stafford County for 25 years. We don't need any more holes in the ground on that property, any holes in the ground than what we currently have. You talk about well studies? I'm living proof of how wells have been doing not well there. The original well that was drilled on my property was 250 feet down. The one there now that I had to pay Mr. Danielson to do -- 680 feet down and the yield still is not where I'd really like it to be. The ground perked for what it's supposed to be, but we do not need nor do the residents of the Abel Lake Homeowners Association want 50 more holes in that ground because of the fact that our wells are running dry. It's happened all over the place, over by Mt. Olive; we don't need it. We're asking you to do by... do right by us, the residents of the properties that would be most affected adjacent to where Alex is going to develop his area. I'm no fan of development. I've been in, like I said, Mr. Harvey and I worked with Mr. Gibbons and Mr. Cavalier to... in 1999, to try to make developers do right. I'm no fan of development in this County. But I know what I know is that we need water, and if you start putting holes in the ground over there our wells are not going to be where they need to be. And that puts an undue burden on us. Thank you.

Ms. Vanuch: Thank you. Anyone else like to come and speak? Mr. Waldowski.

Mr. Waldowski: This is my favorite (inaudible).

Ms. Vanuch: I know it is. I knew you were gonna stay for this one.

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Mr. Waldowski: You know I was gonna be here for this one. Paul Waldowski, the gerrymandered Rock Hill District. Fairness. I'm all for giving these guys... you don't put 50 holes in the ground. But I want a water and sewer bill. If they get a water and sewer bill, I want one. We put a petition together in 2011 and they denied us our water and sewer bill, and it's all about fairness. A go-back to whatever comprehensive plan you want. I already told you many times, your Comp Plan's outta date. You'll never catch up. You keep on thinking it's there... well, it's 2016, well we're already teenagers in the 21st century. But I don't want other citizens to get hurt when I've seen people in my neighborhood for 35 years not get a county water and sewer bill. I've only had to deal with it for 18 years. That's how long it takes to raise a child, to put your handprints on their back and say go get a job, get into college, go to a tech school, get your hands out of the change in my pocket. You know, it's a good thing this week that I really got off my tail and I went after the County about this whole aspect. The Virginia cor... State Corporate Commission knows all about these water extension policies. You know, this so-called master plan, you know. Mr. Critzer was a really, really good citizen and really did due diligence by our petition. But I get no support from his public works division and I want it publicly known that if you want something done, you need to go to the top and distribute it all around because that's the only place the leadership is in this County.

Ms. Vanuch: Anyone else? Okay, seeing no one, I will go ahead and close the public hearing and allow the applicant to address any of the current concerns or comments from the public. Okay. Does anybody have any questions for him?

Mr. Apicella: Can I ask Mr. Towery a question?

Ms. Vanuch: Sure. Mr. Towery?

Mr. Apicella: So, going back to the issue that the previous gentleman raised, not Mr. Waldowski but the one before him, I'm sorry sir I don't remember, so again, if water was approved tonight for this specific parcel, putting aside how it might impact the water table for this gentleman, would it help that area that he's talking about ultimately get public water?

Ms. Vanuch: I think what he's asking is could this gentleman connect to public water. Is that what you're asking?

Mr. Apicella: Yeah, if we... and this goes back to the fairness issue, because I see some people benefiting from this Comp Plan Compliance Review process and others not, in terms of getting public water. Not that in the absence of it might impact their wells but just whether or not they're able to also access public water lines.

Mr. Towery: Sure. Mr. Apicella, I think currently the neighborhood that's just neighboring there has public water available on Kellogg Mill Road and could apply under the water and sewer extension policy currently to have water extended to their neighborhood. Of course, they would have to go through a similar type of process and ultimately come before this body for consideration.

Mr. Apicella: Which, again, goes back to my point that if we did this in a more deliberative and overarching way, it would make more sense and help more people than doing it in a piecemeal fashion. Just again, trying to raise the same point that this piecemeal process in my view is not the best way to go about planning.

Ms. Vanuch: Anyone else have any questions for Mr. Towery before he sits down? Okay. I'm going to bring it back to the Planning Commission at this point. Mr. English, this is in your district.

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Mr. English: Yes ma'am, I make a motion to approve COM19152658.

Mr. Boswell: Second.

Ms. Vanuch: Okay, we have a motion on the floor by Commissioner English to approve the Compliance Plan Review with a second by Commissioner Boswell. Any further comment Commissioner English?

Mr. English: No, I mean I think it's gonna help the well situation in that area and we all know that it's been an issue before so, and I hope other people can hook up on that. I had bad luck with trying to do it. When I did a community project I was turned down so I hope people have better luck than I did.

Ms. Vanuch: Okay. Commissioner Boswell?

Mr. Boswell: No.

Ms. Vanuch: Anyone else?

Mr. Apicella: Madam Chairman, just again on the philosophical perspective, I'm not going to support this; not because I don't want to see this project go forward, I go back to the point I've tried to make a couple of times here. If we think there parcels that should get public water and sewer, I think there's a more rational and deliberative process for that. It's called a Comp Plan amendment. I think that's the way we should do this rather than doing these piecemeal Comp Plan Compliance Reviews going forward.

Ms. Vanuch: Okay, anyone else? Okay, go ahead and vote. Okay, motion carries 6 to 1 (*Mr. Apicella opposed*). Okay, moving on now to item number 5 on the agenda, the Amendment to the Zoning Ordinance for lots for required buffers which is the Design and Construction Standards for Landscaping. The good old landscaping subcommittee work. This is the public hearing part... we finally got to the public hearing after two and a half years' worth of work, we finally got to the public hearing.

5. Amendment to the Zoning Ordinance - Proposed Ordinance O19-15 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 Neighborhood 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, by reference, the Design and Construction Standards for Landscaping, Screening, and Buffering (DCSL) Manual. Generally, the new regulations would update definitions of specific terms and standards for landscaping, screening, and buffering regarding plant unit types, update the required percentage of plant unit types, clarify maintenance and buffer yard requirements, allow screening as a substitute for transitional buffers, allow more flexibility in landscape design, remove required plant species and add references to incorporate native species, eliminate invasive species, update references to County departments responsible for administration of the standards, revise criteria applicable to credits, substitution, alternative compliance and departure from design standards, and update parking lot landscaping requirements, construction standards, and plant schedules. **(Time Limit: March 31, 2019)**

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Ms. Hornung: Good evening Madam Chairman, members of the Commission. This item is gonna amend the... per Ordinance 19-15, it's going to amend the Zoning Ordinance of the Stafford County Code as well Subdivision Ordinance Sections 22-153, Lots for required buffers; 28-25, Definitions of specific terms; 28-54, Planned Development PD-1 District; Traditional Neighborhood Development P-TND, Section 28-66; 28-67, the Falmouth Redevelopment Overlay; Section 28-82, Required buffers; Section 28-83, Buffers for historical properties and districts; Section 28-86, Landscaping standards; Section 28-88, Screening standards for appurtenances; and by reference the Design Construction Standards Landscaping, Screening, and Buffering Manual. To summarize what happened, it started in 2017. The Design Standards Manual, DCSL, that was adopted in 2005. And since 2017, the Board had approved a Resolution... the first Resolution for the Planning Commission to create a committee and work on the Design Construction Standards Landscaping Manual. Also, through the work that the Commission, they were required to send their recommendation to the Board for them to... for the Board to review and make comments and then by another Resolution, submitted... referred to the Planning Commission to add some additional items to consider while updating the Landscaping Manual. And then the Commission also asked for an additional time because of those items that needed to be addressed, which is where we come to today since 2017 where the time limit is actually March 31st. Basically, the chapters of 22 and 28 of the County Code, those items that are being amended only really address the language that's in there stating that certain development will be subject to Section 100 of the DCSL. We are striking those words, Section 100, because the DCSL actually applies to the... the entire manual applies to the development. Also, in the Zoning Ordinance we added the definitions that are similar... equivalent to the ones in the manual so that both sections have the same definitions and there is no conflict. Specifically, what was amended in the manual was updating language due to reorganization of departments in the County, updating plant schedules, specifically adding ornamental grasses as another type of plant to be used and equivalent to one plant unit similar to small shrubs. Also, increase plant units from 21 to 75 plant units per a hundred linear feet for residential developments, and decreasing the plant units from 75 to 50 per a hundred linear foot for non-residential developments only adjacent to arterials or collector roads. As I said, update the definitions; updating resources -- we never had a resource list in the current manual so we added a resource list and by deleting the existing plant list, this resource list includes native species and also has more diverse list of plants that can be used for this area. And so they're not... we're not dictating what plants need to be used, but we're offering up references that allow plants for... that are native to this area. Also, allowed... added a statement to allow xeriscaping practices which was a recommendation of the Board, which xeriscaping is a practice in which it uses drought tolerant plants for arid or semi-arid areas, but can also be used for areas in the County which you don't want to have to water frequently so that the watering of the plant is minimal, especially in areas as we just heard may only be supported by wells. Also, a statement prohibiting invasive species; that was very important. The other items that were a little bit more specific were revising the interior parking lot landscaping requirements. Currently, we have a 30 square-foot requirement of the impervious parking area to be landscaped, but the proposal is to change that to 5% which is in line with our peer localities; the ones that we were using at the time that we were reviewing this. We also added maintenance requirements in all the areas and require landscape islands for every 16 spaces for a single row and 32 spaces in a double row. Here are some graphics that will give you an idea. The upper graphic shows what landscaping looks like in our current manual. And you can see the reddish color shows the islands that would be landscaped, which shows a 30 square-foot area. In the lower graphic, it shows what 5% will look like. So, you'll see that there's more islands spread throughout the development. Here is an aerial which is similar to those other plan graphics, so to the left that is the current and if you see that... it's a big box store with a very vast parking area and the parking lot landscaping is pretty much exterior or at the perimeter of the parking lot and you have several double rows of parking spaces with no breaks in between. The bottom graphic shows a 5% which is similar to one of our peer localities, and you can see that a lot of the landscaping not only is to the perimeter but is also interior to the areas. And you have a triangular piece and a number of landscaping throughout the

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parking area. So, based on all the work that the committee had done and information that came out of the Board review of the first recommendation, the staff would recommend that the Planning Commission make a recommendation this evening mainly in the affirmative for all the changes that were made. One other item that was discussed was considering a delay of the ordinance to consider either projects that are currently under review or that are just about ready to be proposed; a recommendation could be adding a time limit to the ordinance once it gets approved by the Board or if changes happen as well. If there's any questions, I'll be happy to answer them.

Ms. Vanuch: Mr. English?

Mr. English: I have no questions. I was going to make a motion to accept it with the recommendations by the staff.

Ms. Vanuch: I guess I just have a really quick comment. You're recommending that we would sort of provide the date, like if anybody had submitted a site plan prior to January 1st, they would sort of be vested under the old landscaping standards, is that what you're suggesting?

Ms. Hornung: I wouldn't use necessarily vested or grandfathering, because that's a zoning term. But you could use a date, either the landscape ordinance... the revisions to the manual and the zoning and subdivision ordinance would become effective a certain time or all current applications that have been submitted and under review as of a certain date are not subject to the new... the proposed...

Ms. Vanuch: So, could we just use tonight's date as if the application hasn't been submitted by tonight's date then...?

Mr. McPherson: Does it have to go to the Board first?

Ms. Vanuch: It would, but I'm just saying the Board would use it...

Mr. McPherson: That is their approval.

Ms. Vanuch: Because technically the public knows that we're doing this because we're having a public hearing. So, if they submitted a site plan yesterday, they would be under the old rules; if it's tomorrow, or I guess today...

Ms. Hornung: Right. That's your prerogative; you can choose what date you want the revisions to take effect.

Ms. Vanuch: So, I guess, does the Commission... what do we want to do?

Mr. McPherson: Sixty days.

Ms. Vanuch: Today... 60 days when?

Mr. McPherson: Well, if they submitted something a month ago under the old...

Ms. Vanuch: No, she's saying to set a date certain, like either next week...

Mr. Bain: April 1st.

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Ms. Vanuch: ... yeah, like April 1st so that way... I'm just a little concerned if we do it April 1st, we're going to have an influx of site plans coming in in the next couple of weeks.

Ms. Hornung: Right, you have two choices. You can either say all projects that have been submitted as of a certain date, which was similar to the parking ordinance, they are not subject to the revisions. Or, you could say once the Board adopts the landscape proposals...

Ms. Vanuch: That's why I would say today.

Ms. Hornung: ... then a certain timeline from that adoption that date would become effective for all applications. So you... you have a choice.

Ms. Vanuch: Alright.

Mr. Bain: I have a question, I guess. I'd like an opinion from you. Are these changes going to be onerous to developers? Obviously, the intent is to improve the environment with them but, what I saw did not really give me heartburn if I was in a developer's shoes. How do you feel about that?

Ms. Hornung: We did have engineer input during the process, and we looked at projects and we looked at existing landscape requirements to the proposals, and a lot of the information that's been revised in the manual is basically updating, clarifying, and incorporation suggestions from the Board, as well as other engineers so that the changes aren't considered a... would not be considered a hardship. But if they were, we do have those options in the manual that you could apply for an alternative compliance which you can reduce the width but still have the same plant units. If it's a departure from standards, you would see them before the Planning Commission and they would have to provide the information why are they asking for this. There's also substitutions; by adding the plant list... removing the plant list and adding references. This gives them more of an option...

Mr. Bain: More flexibility, yes.

Ms. Hornung: ... more flexibility, and there are still the percentages of trees plant... trees and shrubs and large and small shrubs and trees and different types of plants that they can use so that you're not going to get all trees or all small shrubs. There will have to be a percentage of each.

Mr. Bain: Yeah, I didn't feel like it would be an onerous change that you have all the developers yelling and screaming so. Thank you.

Ms. Hornung: Right. You're welcome.

Mr. English: Madam Chairman, I'd like to make a motion to...

Mr. Boswell: Is it a public hearing?

Mr. English: Oh... is it a public hearing?

Ms. Hornung: Yes sir.

Mr. English: It is.

Ms. Vanuch: Oh, yeah, we haven't closed it.

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Mr. English: Sorry.

Ms. Vanuch: Alright, are we done asking questions? Now is the public hearing portion of tonight's meeting. Would anyone like to come forward to speak? Seeing no one, I'm going to close the public hearing and bring it back to the Commission. Any further questions?

Mr. English: No questions.

Ms. Vanuch: Okay. Alright, does anybody want to make a motion?

Mr. English: So moved to make a motion.

Mr. McPherson: Second.

Ms. Vanuch: To make a motion for what?

Mr. English: Make a motion to approve the ordinance, the change ordinance and the date as of today, as of tonight.

Ms. Vanuch: Alright, so we have a motion on the floor to approve the amendment to the Zoning Ordinance for Landscaping Design and Construction Standards...

Mr. English: Yes.

Ms. Vanuch: ... and it's effective of any site plan...

Mr. English: Today.

Ms. Vanuch: ... to be provided to staff by today's date.

Mr. English: Yes.

Ms. Vanuch: Going forward it uses the new rules. Okay, do we have a second?

Mr. McPherson: Second.

Ms. Vanuch: Okay, any other comments from anybody else? Alright, go ahead and vote. Okay, motion carries 7-0. Okay, item number 6, Amendment to the Zoning Ordinance for modular units. Ms. Blackburn.

6. Amendment to the Zoning Ordinance - Proposed Ordinance O19-20 would amend the Zoning Ordinance, Stafford County Code Sec. 28-25, "Definitions of specific terms," and Sec. 28-35, Table 3.1, "Table of uses and standards," to create a definition for modular units designed for temporary offices or classrooms and to allow for the maintenance, rental, and repair of such modular units as a use permitted by-right in the industrial districts. **(Time Limit: May 24, 2019)**

Ms. Blackburn: Good evening Madam Chairman, Planning Commissioners. This evening you are to consider amendments to Chapter 28, Section 28-25, Definitions of specific terms, and Section 28-35, Table 3.1, which is the table of uses and standards, which are to create a definition for temporary

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modular office and classrooms, and provide for the rental, repair, and maintenance of such items in the Industrial zoning districts. This request has been made by an Economic Development prospect who operates such a business, which includes the maintenance, repair, and rental of modular units designed for temporary offices and classrooms. Upon review of the ordinance, it was discovered we don't allow for such a use. And so staff presented this item at the February 5th Community and Economic Development Committee, and they discussed the proposal and voted to forward the item to the Board of Supervisors. The Board heard the proposal and... also the same day at the February 5th meeting and they adopted Resolution R19-36 referring this Ordinance, O19-20, to the Planning Commission for their review. You heard about this at the February 27th meeting in the Director's Report and you voted to have a public hearing tonight. And the staff has drafted an ordinance that includes a definition and listed the use reflecting this request from the business operator. The definition restricts the use to units designed for offices or classrooms and excludes units designed for living purposes. Staff believes this use is compatible to the repair, maintenance, and rental of motor vehicles and trucks, which is a permitted by-right use in the M-1, Light Industrial District. This use would be permitted in the M-2, Heavy Industrial District also by reference since all the uses permitted in the M-1 districts are also permitted in the M-2. This use would be subject to the standards for development in the district and all applicable county, state, and federal code and regulations. And Resolution R19-36 allows the Planning Commission to make recommendations on this Ordinance, but cannot make changes to the proposed Ordinance. And staff recommends the Planning Commission provide their recommendation and forward it to the Board, and the deadline for acting on this is May 24th. And do you have any questions?

Ms. Vanuch: Anyone? Go ahead Bart.

Mr. Randall: How does this apply to modular classrooms at a school? Does that apply to this at all? Is it just for private?

Ms. Blackburn: This would be for storing them and maintenance and repair of them.

Mr. Randall: Yeah, but using them on a school for the County...

Ms. Blackburn: No, that's a different... that's a different subject, yes.

Mr. Randall: ... doesn't apply to this at all.

Ms. Blackburn: Yes.

Mr. Randall: Okay, thank you.

Ms. Vanuch: Anyone else? Okay, thank you. So, now we'll open it up to the public hearing portion of tonight's meeting. Does anyone care to come down and speak? Seeing no one... seeing no one, we're going to close tonight's public hearing on this and bring it back to the Commission. Anybody have any questions for Ms. Blackburn? Okay, none. So, does anybody want to make a motion?

Mr. Bain: I'll make a motion that we approve Ordinance O19-20 as presented by staff.

Ms. Vanuch: Okay, motion to approve. Do we have a second?

Mr. Randall: I'll second it.

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Ms. Vanuch: Okay, second by Commissioner Randall. Any further comments? Okay, go ahead and vote. Okay... Mr. Bain, are you going to vote?

Mr. Bain: I did.

Ms. Vanuch: Okay, we'll just let... okay, there we go. Okay, motion carries 7-0. So that concludes the public hearing part of tonight's meetings. Now we're moving on to Unfinished Business, item number 7, Amendment to the Zoning Ordinance, the good ol' RBC PD-3 Ordinance, and for this we recognize Mr. Geouge. I was just trying to see what the time limit was on that.

UNFINISHED BUSINESS

7. Amendment to the Zoning Ordinance - Proposed Ordinance O19-14 would amend the Zoning Ordinance, Stafford County Code Sec. 28-25, "Definitions of specific terms;" 28-33, "Districts generally;" 28-34, "Purpose of districts;" 28-35, "Table of uses and standards;" 28-39, "Special regulations;" 28-53, "Planned development districts;" 28-55, "Planned Development-2 District (PD-2) regulations;" 28-56, "Application for planned developments;" and 28-129 "Types permitted in commercial and office districts (B-1, B-2, B-3, RBC, RC, SC and HI)" to rename and 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. Generally, the proposed Ordinance would, as compared to the existing RBC Zoning District, increase the amount of age-restricted residential housing allowed in the PD-3 Zoning District to 35% of the district; establish the PD-3 Zoning District as a mixed-use district with a significant age-restricted housing component; remove certain uses and special regulations for such uses that are incompatible with residential use; amend open space requirements to allow a lower percentage of open space in the district; and clarify open space requirements generally. **(Time Limit: July 15, 2019) (History: Deferred on February 27, 2019)**

Mr. Geouge: Good evening again Madam Chairman, members of the Commission. I have five slides on this but I think I can condense it to one. This is integrally related to the proffer amendment you heard before. Staff recommends deferral so the ordinance amendments can run concurrently with that proffer amendment request. The Board did grant the 120 day extension for the ordinance amendment which pushes the time limit out to July 15th.

Ms. Vanuch: Any questions? Okay.

Mr. Apicella: I'm sorry, I have one question.

Ms. Vanuch: Yeah.

Mr. Apicella: Do we know or have we further researched how many additional units the applicant could get if we made no further changes to the existing RBC requirements?

Mr. Geouge: I will qualify this with it depends on if they're able to revise their preliminary concept plan. And I say that because depending on how they calculated the open space for the Del Webb community, they may or may not be able to do that. If they are and they can relocate those 87 acres to the south end, it would be approximately 400 units, additional units, I believe.

Mr. Apicella: When will we know a final answer to that question?

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Mr. Geouge: We should know soon.

Mr. Apicella: So, if we defer this, can we still get an answer to that question prior to whatever date we defer to, just as a matter of information?

Ms. Vanuch: For example, if we deferred it to like May 15th?

Mr. Geouge: Yes, we should be able to get an answer to that before then. They haven't formally submitted a request to revise the concept plan, but that's certainly something we can look at anyway.

Mr. Apicella: What process is required to amend the... whatever plan you're talking about?

Mr. Geouge: They would submit a... just a letter would suffice with the proposed concept plan. And as long as it meets the criteria and the (inaudible) the ordinance currently for amending the concept plan, they should be able to have that approved administratively.

Mr. Apicella: So that would not come to the Planning Commission or the Board of Supervisors.

Mr. Geouge: Not if it is able to be approved administratively per the ordinance.

Mr. Apicella: Alright, thank you.

Ms. Vanuch: Okay, thank you. Do we have any motions?

Mr. English: We want it to run concurrent with what we're doing, right?

Mr. Randall: Did we pick a date for the other one?

Ms. Vanuch: We picked a date, June 12th, but I think... do we want to hash this out prior to?

Mr. Apicella: I think it would be helpful to get an update and answers to that question prior to when the proffer amendment comes up because it might kind of...

Ms. Vanuch: I agree.

Mr. Apicella: ... help inform that process.

Mr. English: Here it in 30 days?

Ms. Vanuch: Yeah, I think May 15th.

Mr. English: May 15th? Alright, I'll make a motion that we table this till May 15th.

Ms. Vanuch: Okay, well there's a motion to move this... to defer till...

Mr. English: Defer, I'm sorry.

Ms. Vanuch: ... defer till May 15th...

Mr. English: It's late.

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Ms. Vanuch: I know, I'm tired. Do we have a second?

Mr. McPherson: Second.

Ms. Vanuch: Okay, motion by Commissioner English, second by Commissioner McPherson to defer till May 15th; any further comments? Okay, seeing none, go ahead and vote. Motion carries 7-0. Okay. Now on to New Business; item number 8 we're gonna recognize Ms. LeAnn Ennis finally for this one, Whitson Woods Preliminary Subdivision Plan. Ms. Ennis, go ahead.

NEW BUSINESS

8. SUB18152445; Whitson Woods, Preliminary Subdivision Plan - A Preliminary Subdivision Plan for 55 lots with one waiver (19152646) of Stafford County Code, Sec. 22-177, "Access in townhouse subdivisions," on Tax Map Parcel No. 20-125, zoned R-3, Urban Residential-High Density Zoning District, on 17.6367 acres, located on the west side of Highpointe Boulevard and south of Independence Drive, within the Garrisonville Election District. **(Time Limit: June 26, 2019)**

Ms. Ennis: Madam Chairman, members of the Commission, I am giving you item number 8 which is a preliminary subdivision plan for Whitson Woods and two waivers, one for Section 22-190, Street access, and the second one for 22-177, Access to townhouses. It's located on Assessor's Parcels 20-125, on the west side of Highpointe Boulevard and south of Independence Drive. It's on approximately 117.6 acres and it's zoned R-3, Urban Residential, which is the high-density. It lies within the Garrisonville Election District and they're asking for 55 single-family townhouses. This is the site that where it's located. As you can see, all around it is residential. Directly adjoining it... it's surrounded by townhouses. On the other side of RPA at the bottom on the south side is R-1, single-family houses. This is the aerial map where you can see the density... I mean... of all the surrounding properties. The preliminary is proposing 55 townhouse units with 13 acres of open space. All the lots will be served by public water and sewer. The storm will be achieved by two filtration devices. A waiver was granted for quality control on the site. Runoff would have been an adverse effect to Whitson Run. Wetlands and RPA will be remain undisturbed on the south side of the property. The property... the project was rezoned in 2013 from R-1 to R-3, with proffers. In July 2018, a proffer amendment was approved modifying the GDP to reconfigured the streets and lot layout because of the steep slopes and retaining walls that they had proposed on the previous plan. An agreement with Liberty Townhome Homeowners Association for offsite easements, paving repairs, and slope stabilization was established with that proffer amendment allowing the elimination of the previous proffered contributions that were required to the County. The proffer amendment also provided additional screening and a tot lot. Approved proffers required the elimination of the road connection through the Liberty Place townhouse subdivision requiring a waiver of the Subdivision Ordinance, 22-190, for street access. The ordinance requires the access to adjoining properties based on the number of units. The proposed plan would require two connections without the granting of a waiver. Also, section 22-177, Access in townhouse subdivision of the Subdivision Ordinance does not permit more than 28 units served by a single easement thus requiring the applicant to seek a waiver to allow up the 55 units. Staff believes the plan meets all applicable code requirements with the granting of the waiver, 22-190 and 22-177. Any questions?

Ms. Vanuch: Any questions? Mr. Apicella.

Mr. Apicella: Madam Chairman, can you put that, not the last slide but the one before that up? The area that's at the top of this slide, is that wooded? Is it an open field?

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Ms. Ennis: It's wooded and they're going to grade that and it's still pretty steep. It's really steep. I mean, this doesn't show how steep it is. This is the area that you're talking about that I circled?

Mr. Apicella: Yeah.

Ms. Ennis: Yeah. So, the preliminary plan that I have shows the grading where they're grading it out but it's still really steep. It's good for sledding.

Mr. Apicella: Good. Okay, thanks.

Ms. Vanuch: Any other questions?

Mr. Randall: Yes please.

Ms. Vanuch: Go ahead.

Mr. Randall: Can you show quickly the waivers, where's the Liberty Place subdivisions, and then the easement so everybody's clear?

Ms. Ennis: This one? Can I show you what?

Mr. Randall: Show me the two... the two waivers. Where is Liberty Place subdivision and where is that waiver and then the easement waiver.

Ms. Ennis: The waiver would be right here. They didn't want the connection here.

Mr. Randall: Okay.

Ms. Ennis: And since that was... so this is the access and this would have been access. So that's 22-190 and then 177 is the number of units. So, it's all these units off of here, off of this one easement. So, this is the easement here. It goes this way. And so that's 55 units off the one easement.

Mr. Randall: Alright, thank you.

Mr. McPherson: Has Stafford Emergency Services chimed in about this having only one access point to this subdivision.

Ms. Ennis: I'm sorry, who?

Mr. McPherson: Stafford Fire Department or Emergency Services.

Ms. Ennis: No, they had... previously on the plans before, I had them... I presented this stuff... this project three times. So, they previously had issues with the Highpointe Boulevard and stuff but the subdivision, there's a subdivision way up here now that gave them another connection and he's happy now. But with the two connections here, they... it was a proffered condition and the HOA always wanted it so they didn't really argue the point.

Mr. McPherson: Thank you.

Ms. Ennis: You're welcome. Any other questions?

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Ms. Vanuch: Okay. Would the applicant like to come down? Is everybody good? Any questions for the applicant? Okay. Alright. Mr. Randall, this is in your district, what would you like to do?

Mr. Randall: Mr. Harvey, do we need to do this in two separate motions or can we do it all in the same?

Mr. Harvey: Madam Chairman, Commissioner Randall, I believe we're looking at the approval of the plan with waivers so that can be with one motion.

Mr. Randall: Ah. One plan with two waivers. Okay, then I move that we approve the two waivers for the one plan, SUB18152445 is one waiver and the second waiver is 19152646, for the Whitson Runs subdivision plan.

Ms. Vanuch: Okay, we have a motion; do we have a second?

Mr. Bain: I'll second.

Ms. Vanuch: Okay, motion by Commissioner Randall, second by Commissioner Bain; any comments?

Mr. Randall: No.

Ms. Vanuch: Any comments from anybody else? Alright, vote. Motion carries 6 to 1 (*Mr. English opposed*). Now we're moving on to number 10, that's right, which is going to be presented by Susan Blackburn and this is to eliminate screening requirements for service bays and require service bays to be oriented away from the highway corridor. Ms. Blackburn.

9. WAI19152682; Potomac Vineyards LLC - A waiver request of the Subdivision Ordinance, Stafford County Code, Sec. 22-143(a), "Shape and elongation," for Tax Map Parcel No. 31-88E. The owner is requesting a boundary line adjustment with adjacent parcel 22-57A, which will result in Tax Map Parcel No. 31-88E exceeding the maximum lot depth to width ratio. The property is zoned A-1, Agricultural Zoning District, and is located on the east side of Decatur Road and north of Brent Point Road, within the Griffis-Widewater Election District. **(Time Limit: May 26, 2019)**

Discussed before item 1.

10. Amendment to the Zoning Ordinance - Proposed Ordinance O19-24 would amend the Zoning Ordinance, Stafford County Code, Sec. 28-59, "Highway Corridor overlay district (HC)," to eliminate screening requirements for service bays and require service bays to be oriented away from the corridor highway. **(Time Limit: June 10, 2019)**
(Authorize for Public Hearing By: April 24, 2019)
(Potential Public Hearing Date: May 29, 2019)

Ms. Blackburn: Madam Chairman, Planning Commissioners, this is an ordinance that is going to potentially change the screening of service bay doors from the highway corridor and this is when the property is located in the Highway Corridor Overlay District or as we refer to as HCOD. Currently, portions of Garrisonville Road, Jefferson Davis Highway, Warrenton Road, and Kings Highway, in its entirety, are designated as Highway Corridor Overlay Districts. And the purpose of the HCOD is to provide a zone along developed and rapidly developing high traffic road facilities where appropriate standards for such corridors would address access and design needs. And one of the main focuses is to prevent distracting visual clutter which may result in traffic safety issues along public and private

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accesses. And this district was first adopted in 1995 and has been amended several times since then to include additional property and amend uses and developmental standards. The Comprehensive Plan encourages development of accessibility, convenient, and attractive commercial and industrial locations within this Urban Service Area, and the HCOD requires service bays to be screened from public view along corridor highways. The screening of the service bays, in many instances, is impractical for properties that front along corridor highways and attempts to do so often significantly reduce the visibility of the businesses. In particular, automobile service and repair businesses are often located along the major highways for the convenience of the customers. And these requirements impose conditions to ensure that the businesses look appealing to the citizenry, which is done usually through the conditional use permit. But, in doing the screening, it causes a visibility issue for the businesses. And the businesses have expressed concerns to the Economic Development Department concerning this and are requesting that they could be relieved from the requirement in hopes to benefit their businesses. And this item was first discussed in the Director's Report on February 27th at your meeting and during the discussion the Planning Commission requested the proposed amendment retain the requirement of screening for loading spaces and service doors, and require the service bay doors be oriented to not face the corridor highway and without the requirement of screening. And we have made those corrections in the draft ordinance. And the Board first heard this item February 5th and they adopted Resolution R19-62 and stated the Commission could make recommendations and changes to the proposed ordinance 19-24, which you have done. And staff would recommend that you set it to public hearing for this which needs to be done by April 24th and we would like to have the public hearing set.

Mr. Apicella: I'm sorry, can you clarify. I'm reading it the hearing needs to be scheduled by May 29th.

Ms. Blackburn: We have to authorize the public hearing by the 24th, yes, and then schedule it by May 29th.

Mr. Apicella: Gotcha.

Ms. Blackburn: I'm sorry.

Mr. Apicella: That's alright. Questions for staff? Ms. Blackburn, thank you very much.

Ms. Blackburn: Alright.

Mr. Apicella: So, I'll bring it back to the Commission. Is there a recommendation?

Mr. McPherson: I move that we authorize this for public hearing and I think May 15th would be a good date, if anybody thinks otherwise.

Mr. Apicella: Okay, is there a second?

Mr. Bain: Second.

Mr. Apicella: Okay, there's a motion to put this to a public hearing on May 15th that's been seconded. Any further comments, Mr. McPherson?

Mr. McPherson: Nope.

Mr. Apicella: Mr. Bain? Okay, all those in favor. I'm sorry, please cast your vote. Motion carries 7-0. Back to you, Madam Chairman.

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Ms. Vanuch: Okay, now moving on to the Planning Director's Report; Mr. Harvey?

PLANNING DIRECTOR'S REPORT

11. 2040 Strategic Plan - Healthy Growth and Downtown Stafford
12. Bicycle and Pedestrian Facilities Plan Update - *Ongoing*

Mr. Harvey: Thank you, Madam Chairman. The first item I have on the Planning Director's Report is to talk about an update for the 2040 Strategic Plan from the Board of Supervisors. Given the hour, I will just basically state that there's information provided in your Planning Commission report that highlights where we are in the process with regard to the Healthy Growth initiative and also Downtown Stafford. There's going to be more efforts to come with the Planning Commission in that regard; one, to make the Commission and the public aware about some input sessions. On April 10th the County and its consultant is going to be conducting some stakeholder meetings with pre-identified individuals to get their impact, or excuse me, input on their view about healthy growth, specifically, dealing with growth in the rural areas and growth in the Targeted Growth Areas. Following that, we'll have two public input sessions where the public will be invited to participate and that will be... the first session will be on April 22nd at Margaret Brent Elementary School from 7:00 to 8:30 PM, and the second session will be Tuesday, April 23rd, at T. Benton Gayle Middle School from 7:00 to 8:30 PM. The Commission is encouraged to attend those sessions and observe but not participate. It's intended that these sessions would be to solicit the public input without direct involvement by County officials, that's why we have a consultant running the sessions. Also, the second item on my Planning Director's Report was an update on a Bicycle and Pedestrian Facilities Plan. You'll see at your desk there's an initial draft of the plan and Mr. Geouge is here if there's any questions that the Commissioners might have about it. We would ask the Commission to please advise... look it over, advise of any suggested changes or concerns; we'll come back to your next meeting, and I believe we also need to ask for a time extension. So, I'd ask the Commission to consider a motion to ask the Board for additional time on this matter. Madam Chairman, the staff is suggesting 60 days if I recall correctly. Mr. Geouge can address that directly.

Mr. Geouge: Yes. Good evening again. I drafted up a potential timeline for this. Our intent was to send this plan out to stakeholders this week and allow two to three weeks for comment. We'd also be sending this out to VDOT so they may take a little longer to do their reviews, so we may not make the first meeting in April if we want to incorporate those comments and make those changes before we come and present this to you. So it's, I guess, that's up to you if you want to go ahead and have a summary on the plan before those updates are made or not. But thinking that you may want to add an extra meeting to make changes before authorizing the public hearing and at the public hearing you may want to allow one meeting for deferral. We were thinking asking conservatively for an extension to the end of August.

Ms. Vanuch: And this is for the healthy growth, right?

Mr. Geouge: This is for the Bicycle....

Ms. Vanuch: Oh, he Bicycle Plan? Okay, I'm sorry. I just was in the back signing those plans. Okay. What does the Commission want to do?

Mr. English: You want till August?

Mr. Geouge: That's what we were thinking, conservative.

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Ms. Vanuch: August 14th.

Mr. English: I'll make a motion that we extend this to August 14th.

Mr. Randall: I'll second that motion.

Ms. Vanuch: Okay, any comments? Okay, go ahead and vote. Motion carries 7-0. Mr. Harvey?

Mr. Harvey: That concludes my report Madam Chairman.

Ms. Vanuch: Excellent. Ms. Lucian?

COUNTY ATTORNEY'S REPORT

Ms. Lucian: Madam Chairman, I saved my report for tonight. I'm just kidding. I have no report.

COMMITTEE REPORTS

13. Cluster Ordinance - Policy Subcommittee
Deferred to March 27, 2019 meeting
(Time Limit: March 31, 2019)

Ms. Vanuch: She's got her two hour report tonight for the first time ever. Okay, Committee Reports -- the Cluster Ordinance Policy Subcommittee is concluded. We have a time limit of March 31st, but staff has asked us to ask the Board for additional time to iron out some of the feedback on the recreational facilities and get feedback from HOAs. So, does anybody else have any comments or questions on that? I know Bart's really excited about having to... having to wait on this. Yeah. Did you have a comment?

Mr. Apicella: I would just like to make a motion, Madam Chairman, that we ask the Board of Supervisors for additional time as may be necessary to further deliberate on this, without a specific time range.

Ms. Vanuch: Okay, so we have a motion by Mr. Apicella for additional time from the Board.

Mr. English: Second.

Ms. Vanuch: And a second by Commissioner English. Any further comments? Alright, go ahead and vote. Motion carries 7-0. Moving on to the Chairman's Report. So, we have really quickly item number 14, the Historic Preservation Awards, Request for Nominations. Mr. Harvey, do you have the recommendations that staff has come up with?

CHAIRMAN'S REPORT

14. Annual Historic Preservation Awards - Request for Nominations

Mr. Harvey: Madam Chairman, staff was suggesting the Commission maybe considered the Barnes House which is on Washington Drive. That house has been going under significant historic renovation and it's turning out to be a really nice project.

Ms. Vanuch: Okay. Do we have a motion for that?

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Mr. English: So move.

Mr. McPherson: Seconded. I've seen the information on it and I agree that it's a good nomination.

Ms. Vanuch: Okay. So, we have a motion by Commissioner English and a second by Mr. McPherson; any further comments? Okay, go ahead and vote. Motion carries 7-0. And the only other item on the Chairman's Report is that the Board of Supervisors has requested a joint planning session, a joint work session with the Planning Commission for their meeting on May 7th. It's a joint work session/dinner like we did a couple years ago. And so I just wanted that... I needed a motion to accept the Board of Supervisors' invitation to have that as a special work session and then proposal to cancel the April 24th meeting.

Mr. English: So moved Madam Chairman.

Ms. Vanuch: Okay, so Commissioner English has made the motion. Do we have a second?

Mr. Randall: I'll second that.

Ms. Vanuch: Okay, second by Commissioner Randall; any further discussion?

Mr. Randall: Do we have a time?

Ms. Vanuch: Seven o'clock, right?

Mr. Harvey: Madam Chairman, it's my understanding it would be a dinner meeting so I'm anticipating probably 5:00, but it's not been set yet for a time.

Mr. Randall: It's not been set, okay.

Ms. Vanuch: Okay, alright.

Mr. English: Jeff, can you send something out in reference to that strategic planning, the dates? Can you send an email out?

Mr. Harvey: Yes sir, I will.

Mr. English: Thank you.

Ms. Vanuch: Okay. So we have a motion and a second on the floor. Can we vote on that? Did we? No, we didn't vote, we didn't vote. Okay, go ahead and vote. Okay, motion carries 7-0, so we'll see the Board on May 7th. Okay, Other Business is there is a TRC on April 10th for the Graystone at Abel Lake in the Hartwood District. There's no minutes to approve, so meeting is adjourned.

OTHER BUSINESS

15. TRC Information - April 10, 2019
 - * Graystone at Abel Lake - Hartwood Election District

APPROVAL OF MINUTES

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None

ADJOURNMENT

With no further business to discuss, the meeting was adjourned at 11:23 p.m.