

STAFFORD COUNTY PLANNING COMMISSION
December 2, 2020

The Work Session meeting of the Stafford County Planning Commission of Wednesday, December 2, 2020, was called to order at 4:30 PM by Chairman Steven Apicella, in the Board of Supervisors Chambers of the George L. Gordon, Jr., Government Center and at remote locations throughout the County.

Mr. Apicella: Steven Apicella, Chairman of the Stafford Planning Commission, I call this work session to order. I'll be participating today from a remote location here in Stafford. I would ask my colleagues on the Planning Commission if someone would make a motion to approve my electronic participation.

Mr. McPherson: So moved.

Mr. Bain: Second.

Mr. Apicella: Thank you gentlemen. Just do a voice vote. Everyone in favor signify by saying aye.

Mr. English, Mr. Randall, Mr. Bain, Ms. Barnes, Mr. Cummings, and Mr. McPherson: Aye.

Mr. Apicella: Opposed? Okay, thank you. If we have any technical issues I'll turn the meeting over to Mr. English or he'll take over in my absence. Mr. Randall will you please call roll. Thank you, Mr. Randall. Okay I'll now turn the floor over to Ms. Kathy Baker who will walk us through item number one, Downtown Stafford. Or Mr. Geouge.

MEMBERS PRESENT: Steven Apicella (remote), Darrell English, Barton Randall, Albert Bain, Kristen Barnes, Dexter Cummings, Fillmore McPherson

MEMBERS ABSENT: None

STAFF PRESENT: Jeff Harvey, Lauren Lucian, Stacie Stinnette, Mike Zuraf, Joseph Valotta, Brian Geouge, Kathy Baker

DISCUSSION TOPICS

1. Downtown Stafford - Authorize public hearings for a Comprehensive Plan Amendment and a Zoning Ordinance Text amendment regarding the UD, Urban Development, Zoning District, and a zoning reclassification application for approximately 29 acres to the UD Zoning District, in the Courthouse Planning Area. **(Time Limit: February 12, 2021)**

Mr. Geouge: Good evening Mr. Chairman, members of the Commission, Brian Geouge, Planning and Zoning. I will be presenting tonight obviously. So I want to start off with a little background on the UD District and this effort so... Since back in early 2019 staff has worked to develop a comprehensive plan amendment and a zoning ordinance text amendment which would help lay the ground work for establishing a downtown Stafford. On September 15 of this year these items were referred to the Planning Commission along with the Board initiated rezoning of County owned land and several adjacent properties to the east of the County owned land. So that's the property known as JPI Fountain Park, I'm sure you've heard that in the past. So this work session will focus on the proposed UD Urban Development Ordinance Amendment. In 2012 the Board adopted the Urban Development Zoning district and that allows a much higher density than a lot of our other zoning districts. This, the UD ordinance was originally based on a model ordinance that would apply to all localities that had urban development areas but it had been modified to better reflect the conditions of Stafford County so urban

*Planning Commission Minutes
December 2, 2020*

development area are intended to be mixed use areas that encourage traditional neighborhood design and the district promotes the development of walkable pedestrian friendly neighborhoods with a mix of uses and housing types with an interconnected network of streets and pedestrian facilities. The UD district contains five subdistricts of varying uses, densities, and design standards and the UD district also includes many graphic illustrations to represent the different development standards. In 2017 the Board contracted with Stantec Consulting Services and we've worked with them on these amendments. Input was also obtained from several developers of mixed use developments. I wanted to quickly go over the downtown area, here's a concept plan the area is generally bounded by Courthouse Road to the north and west, Hospital Center Boulevard extended to the south, and Route 1 to the east, and over on the left side here you'll see the Burns Corner property which you recently saw for a reclassification and a conditional use permit. That's about 26 acres of land and on the upper right here there's this hashed area which is the County owned land as well as the JPI Fountain Park piece on the east side and that's about 29 acres. I think my clicker stopped working for some reason. Let's see if I can at least erase this stuff.

Mr. Apicella: I was gonna say you got your Picasso going there Brian.

Mr. Geouge: There I think I got it all, alright. Reminds me of Microsoft Paint. So the next section I'll go into the proposed ordinance amendments. This is gonna be a very high level overview but as you can see there are a lot of changes proposed so feel free to stop me along the way and we can get into any details as necessary. So starting off with general district structure, so as I said the UD district is comprised of five subdistricts, UD 1-5 and the graphic on the right here shows the different types of developments that can occur within those subdistricts.

Mr. Randall: Excuse me Brian, one quick question. Maybe I missed it, what's the reason for the changes, is there a list of concerns, problems, issues that we've had that's causing the relook at what we're doing? Is there, did it not meet the intent, is that why we're looking at it? What's the particular things that we're trying to solve through this new zoning amendment for what was done in 2012?

Mr. Geouge: Okay so I would say the main part is that when we took another look at the zoning district we found that the, especially the densities didn't really allow for what we're looking at doing in downtown Stafford, they're much too low. Currently the maximum density is 14 dwelling units an acre which is very low for an urban type setting especially where you have parking garages and things like that, you don't have to accommodate surface parking so that was one of the main things. There were a lot of other changes that kind of went along with that such as reducing setbacks allowing a little more lot coverage for these developments to really maximize and take advantage of those spaces as well as adjusting some of the landscaping requirements to kind of create the character we're looking for such as you know getting rid of things like street buffers which would effectively push those buildings back further from the road. So we had to adjust some things like that to really accomplish the vision here.

Mr. Randall: Alright so and then a follow up, do, have we used the, has anybody used these UD zonings that we know of since 2012?

Mr. Geouge: We only currently have one property that's UD zoned and it's Abberly Apartments, that's a UD-4 subdistrict but we have had some interest in other properties. For instance, you may recall Rappahannock Landing down off of Musselman Road so that was a recent one that came in. They were looking at going to a UD-3 for apartments and we have a couple more that are in the works yet but you all haven't seen those yet.

Mr. Randall: And they won't be affected by any changes that we make?

*Planning Commission Minutes
December 2, 2020*

Mr. Geouge: Not necessarily, so even though we're proposing increased densities and things like that they're presumably, they're still gonna proffer limitations on their developments so they'll have some restrictions there. As far as the development standards, I think we're, in general we're going towards less restrictive so I don't think it's necessarily gonna adversely impact those pending reclassifications.

Mr. English: But it will make it, with this high density they're looking at it's gonna have impacts on schools and stuff like that though right?

Mr. Geouge: In the sense that it could allow more density within the same area.

Mr. English: So it could be a major impact on the schools if we went this route right, basically?

Mr. Geouge: That is one thing to consider, however with any rezoning classification they'll have to go through the usual process of evaluating those impacts and mitigating them.

Mr. English: Understood, understood.

Mr. Bain: If I could, we spent most of the summer digging into and evaluating the downzoning proposal because the Board of Supervisors wanted to maintain the rural character of Stafford County. Am I the only one that sees hypocrisy in this proposal that now they want, they keep saying we don't want to be like Fairfax County well this is exactly what you find when you go to Fairfax County.

Mr. McPherson: But that was the A-1 that was being affected, not the UD districts. That's not hypocrisy.

Mr. Bain: I don't care, they're talking, we've got three supervisors that two of them ran on a ticket of no more development, all three of them wanted the downzoning to reduce development, control development, we're overcrowded, our schools are in trouble, our roads are horrible, and yet here they are with this proposal.

Mr. Randall: If you don't care between the outside the urban services area, inside the urban services area, then it will always be hypocrisy. The issue is inside the urban services area, we want the growth, we actually want the growth because that's where all the infrastructure is, it's outside the urban services area where they're trying-

Mr. Bain: We're already, we're already-

Mr. Randall: Let me finish, let me finish. It's outside the urban services area where they're trying to make this change, alright. Hypocrisy aside, if you have an issue with them you probably should take it up with them.

Mr. Bain: I just think it's ridiculous and our urban services areas are already being overloaded. Our water and sewer systems are being stretched, our roads infrastructure are terrible, our schools are overloaded, our fire and rescue systems are stretched, I mean why do you want to encourage development in any of the areas that, just because there's infrastructure, it just seems ridiculous to me, and I don't think we're gonna stop the Supervisors on this but I want to highlight that in my mind it's really hypocritical.

Ms. Barnes: Can I have a point of clarification on that? Yeah this is TGA only as far as I can tell.

Mr. English: Go ahead Steven.

*Planning Commission Minutes
December 2, 2020*

Mr. Apicella: Yeah, I was gonna ask before we get too much into the weeds and I realize there are some concern about urban development and the changes to the district, I'm gonna ask Brian, Kathy, Jeff, or Mike maybe to circle back and give us a little bit more history on why we have urban development, what it was called previously, how it links back to the Comp Plan and specifically to the six targeted growth areas. So any one of those four feel free to time in and give us a little bit more background. Is that possible?

Mr. Harvey: Yes, I'll go ahead and get started. Since the early 2000s the County has been engaged with a number of community outreach efforts and one message that's consistent that we hear from the Community is there's no place in Stafford, it's a suburban county, there is no downtown, there's no gathering place for the community so that's been a constant theme for the last 20 years that we need to create somewhat of a sense of place. With regard to urban development areas, that was something that came about originally as a state mandate and was put in place as part of our 2010 Comprehensive Plan. Urban development areas are intended to be walkable communities with a minimum density of four dwelling units an acre and varying recommendations for townhouses and multi-family housing. At the time that Stafford adopted our urban development areas the Board of Supervisors were concerned about density and set the maximum density at the minimum recommendations that was called out in state code. Since then state code was repealed to, or modified I should say to no longer require localities to have urban development areas but there are certain benefits for localities to continue to have urban development areas. In the case of Stafford we have changed the name of the urban development areas to targeted growth areas and as such we get higher priority for transportation planning dollars for those areas of the County compared to other jurisdictions that may not have those kind of areas. But in general as Brian said, we've seen that our current UDA regulations do not allow for density as envisioned by some of the supervisors and the citizenry as far as what they want to see with downtown Stafford. Two years ago staff went on a field trip with Stantec and several Board of Supervisors members and some members of the Planning Commission as well and viewed a number of suburban downtowns and it seemed like the consensus was that Rockville, Maryland was the good example to look for. Rockville, Maryland has sort of a town square where there's a lot of community events. The town square is bounded by a library, housing, parking garages, shops, and a whole variety of different urban type of developments. As we started looking at our urban development zone and what we would need to do to allow for something similar to that but not quite as dense, we noticed that under our current regulations we cannot support garage parking. In my discussions with three housing developers that build apartment complexes in urban areas, all three of them said basically the same thing, you have to have at least 40 units an acre to justify the cost to have garage parking within an apartment building. Now with office space you can justify it because typically the retail spaces and office spaces are much higher cost per square foot and rate of return on per square foot. So that's some of the background information on where we started from and where we're sort of heading to. Is there any other questions you may have Mr. Chairman?

Mr. Apicella: Yeah, and Mike might be able to chime in as well. So again we did the 2016 Comp Plan, that Comp Plan had then envisioned several thousand people, families moving to Stafford over the twenty year horizon and the question, when that Comp Plan was being developed is where are they gonna go, those people are moving to Stafford regardless so the question is how do you allocate that density in a way that balances growth across the County and as I recall the TGA construct was envisioned to accommodate 50 percent of that growth over the 20 year horizon and so what we know based on the downzoning information that we have is that growth is not occurring in the TGA areas in the way that was hoped or projected so the question tonight and as we move forward is what do we need to do to recast the policy so that developers will consider moving some of the growth that will definitely occur in Stafford to these TGAs so that we can accommodate it over that. I mean it's now less than a 20 year

*Planning Commission Minutes
December 2, 2020*

horizon but whatever that number is over the next decade or so until we reach the 2036 time frame, am I saying it right Mike or did I miss something?

Mr. Zuraf: Yeah, Mr. Chairman you're correct it was in the Comp Plan we basically estimated or projected 50 percent of the future growth over the next 20 years into the specific targeted growth areas as designated in the Comp Plan. And the other thing I just want to point out is remember as part of its effort we kind of reviewed at the last Planning Commission meeting is the other part of this with the Comprehensive Plan amendment that would go along with this Ordinance amendment would only support that higher density in the Courthouse targeted growth area so this is not a blanket increase, the Ordinance would allow for higher increase but as far as a proposal so if a proposal's coming in we're gonna look at it against the Comprehensive Plan and if it's in, if somebody's proposing 40-50 units an acre in one of the other targeted growth areas as currently proposed the Comp Plan would not support that so it is a limited area where that's being proposed at this point.

Mr. Apicella: So in that case along with a rezoning proposal they'd have to come forward with a Comp Plan change as well?

Mr. Zuraf: Correct.

Mr. Apicella: In order to get that to occur in those other targeted growth areas. Okay so I appreciate it gentlemen, I think the last person who was gonna ask questions was Ms. Barnes but I would ask everybody to maybe give staff a chance to work through the Ordinance changes if possible and ask questions about those changes and then we can have maybe a higher level discussion about why we're here and what might occur if that's okay unless folks really feel like they need to ask questions-

Ms. Barnes: Steven I wrote it down so I can wait.

Mr. Apicella: Alright so Brian please go ahead.

Mr. Geouge: Alright, thank you Jeff and Mike. So continuing on, first starting out with general district structure so as I was saying we currently have five sub districts, the proposal would eliminate the UD-1 sub district that is the lowest density subdistrict, it allows mainly detached single family dwellings, also duplex dwellings, this was done in part because the UD-1 and UD-2 sub districts are very similar. Really the main difference is that UD-2 also allows town homes which we felt that town homes would be appropriate and the lowest density urban development subdistrict. One of the most significant changes proposed relate to density and height requirements so again these changes are based on input we received from consultant and developers we're proposing these changes in order to support the dense urban environment that we're looking at achieving with the concept plan and also as Jeff was saying to support, to justify the construction of parking garages so the changes would include a moderate increase in town house density. Currently the maximum is eight units per acre, we're proposing changing that to 12 units per acre. It would include substantial increases in multi family densities, as I said before the maximum now is 14 units per acre and that's within all subdistricts they're allowed it doesn't change based on subdistrict. With the proposal we would have it kind of a graduated scale based on subdistricts so UD-3 would allow up to 30 units, four 40 units, five 50 units. And we are also proposing to have larger bonus densities for utilizing TDR so for example now with a townhouse development, maximum is eight but if you use TDR you can go up to nine. We didn't really feel like that added density was much of an incentive to utilize the TDR program so with the proposal for townhomes the maximum normally would be 12 and with TDR you could go up to 16. And we're also proposing to eliminate the current maximum floor area ratio requirement for commercial developments. Currently the maximum is a FAR or 1.0

*Planning Commission Minutes
December 2, 2020*

which is pretty low for urban type setting just as a point of reference if you think of Aquia 15 Apartments, if you look at just that development area it's about a FAR of 1.0 and that's with surface parking so obviously we're looking at a more dense configuration here so what we're proposing is eliminating the maximum FAR altogether and the idea there is that you have other regulations that could, that would limit that such as required open space and maximum height of buildings so we didn't feel like having both requirements as really necessary.

Mr. Apicella: Brian, before you move on on the commercial as it relates to the FAR for TDRs, the TDR ordinance allows developers to trade what would otherwise be residential development for additional floor area ratio, so I'm wondering whether where now taking away that carrot... by nothing having a maximum FAR.

Mr. Geouge: Yeah, that's a good point, that's something we can definitely look at, would you have any suggestions as, are you thinking just keeping the maximum FAR but having the TDR bonus but just maybe bumping it up some.

Mr. Apicella: I don't have a specific recommendation but I think we need to keep that incentive there because again as you keep moving more residential units by TDR the notion was we might want to trade off some of that density for commercial space so I just wouldn't want to lose that as a, again as a carrot to reduce the potential number of residential units that could be moved into a TGA. So I'm just gonna ask you guys to take another look at it, I don't have a specific number in mind, maybe you guys could noodle it and see what makes sense and is viable.

Mr. Zuraf: Mr. Chairman if I could add in there is the increase of density, and I guess that's specific to residential so I see what you're saying, never mind.

Mr. Geouge: Speaking of densities, so this will hopefully put the floor area ratio and densities into a little bit of perspective so again here's the concept plan for downtown Stafford, if you look at just the hashed area which represents the initial rezoning area to UD-5, it consists of 29 acres roughly total, about 22 acres after you account for right of way dedication for the roads that are shown here in the concept plan. As proposed it would be 979 units of development within that area, which based on the 22 acres would equate to about 44 and a half units per acre and individual blocks would have FAR of up to about 3.0 however overall I would say the FAR is probably closer to 1 to 1 and a half. It would also include mixed use buildings up to four stories. If you look at the total area so basically all of the covered areas apart from the Burns Corner development it's roughly 110 acres about 85 acres estimated after right of way dedication, total of 2,490 units if you look at it across that whole area it's about 29 units an acre and again up to about 3.0 FAR on individual blocks and that would include also mixed use buildings up to five stories.

Mr. McPherson: I assume by units you just mean housing units right, not office spaces and whatnot, right?

Mr. Geouge: Correct.

Mr. McPherson: Okay.

Ms. Barnes: Brian can you tell me what was the number of the units again? You said it was 900 and...

Mr. Geouge: 979.

*Planning Commission Minutes
December 2, 2020*

Ms. Barnes: And to be clear if they were to use that, the TDRs, the maximum amount of apartments that could be built by right in that area are just under 1600?

Mr. Geouge: So I would have to do the math on that but...

Ms. Barnes: This math was done for me by somebody else so that's why I'm asking I want to make sure I get it from you.

Mr. Geouge: Okay so it would be the 55 times 22 so whatever that works out to be.

Ms. Barnes: Thank you.

Mr. Geouge: Thank you. Stacie, my clicker's not working again. I think it's, whenever I draw it messes it up, I should just stop drawing. I do like erasing though so... There were also proposed changes to allowed uses. So, what we propose is to add commercial and mixed use developments as permitted uses within the UD-3 district, just to promote a mix of uses within those developments and there's certain uses that currently are permitted by right which we are proposing to change through acquiring a CUP and some of those include dormitory, hospital, night club, and vehicle sales so those are all you know requiring CUPs is in line with our other zoning districts in that regard. And we're also proposing to allow public parking in parking garages in more subdistricts since that's really what we're envisioning here. Next slide please. Another change relates to open space and setbacks, so as far as terminology we're proposing to change the term minimum open space to maximum lot coverage. Really it accomplishes a similar thing but in our opinion it's a little easier to understand seeing as you have different kinds of open space, you have open space as far as what's pervious on a lot and you have kind of common area open space in certain developments so we didn't want any confusion there, the revised standards would allow more impervious area on lots however there would still be the requirement for some landscaped areas per the DCSL, setbacks would also be reduced with the proposal to allow buildings to be placed closer to the street and build two zones would also be adjusted to coincide with the reduced setbacks and if you're not familiar already, the build two zone is really a zone where you have to have a certain percentage of the façade of a building along the street and that's, it's, it kind if incorporates the setback requirements but it also requires the building to be placed up against the street and that's the intent of that regulation.

Mr. Apicella: Hey Brian?

Mr. Geouge: Yes sir.

Mr. Apicella: Before we move on so these are two areas where I have a little bit of heartburn and I guess I personally I can't speak for other folks but I'd like to know what the pros and cons are of two of these changes. The minimum setback to zero what are the pros and cons and give us a sense of how close that is to the actual road and then on the landscaping eliminating... yeah the elimination of street buffers what are the pros and cons of that?

Mr. Geouge: I can speak more so on the street buffer. The thought there was that a lot of these UD urban developments are gonna be placed along likely what are going to be considered as collector roads or possible arterial roads which normally would require a, a significant street buffer to screen those uses from the road way which we thought was contradictory to the intent here where you're trying to have buildings a little closer to the road way, more accessible, so that was really the main intent for the elimination of the street buffer, I will note that a street tree requirement would still be in place so there

*Planning Commission Minutes
December 2, 2020*

would be landscaping along that street still it just wouldn't be this substantial buffer that's intended to screen the buildings from the roadway.

Mr. Apicella: So what does that mean, the tree, what you just said?

Mr. Geouge: Street trees are, it's a much narrower planting area so and it's not really for buffering purposes, it's more for aesthetics so you'd have a tree placed you know every 50 foot or so, just as an example to you know provide that kind of traditional neighborhood design feel.

Mr. Bain: So would this be more like downtown Fredericksburg where you have the curb, the 12 foot sidewalk, and the building front with a tree every 50 to 100 feet, is that basically what you're looking at here?

Mr. Geouge: Yes, that's generally what this would look like.

Mr. Apicella: So I'm gonna ask the contrary question, what's the downside of keeping the buffer requirement in place, I mean is this something developers said they must have in order to make these projects viable?

Mr. Geouge: From a density standpoint I could see the buffer requirement sort of eating into the available land here because we don't, in this particular case we don't have a whole lot of land to work with to begin with but so I could see that being a potential downside, also just from a visual perspective it's not really gonna create an urban feel it's gonna be I would say a little more suburban in that regard because you're not gonna have, the density in general, there's buildings up close to the road where you can easily access them and you can see shops along the roadway and clearly identify it, you're not gonna necessarily have that with a street buffer in place.

Mr. Harvey: Yes and Mr. Chairman, along the lines of Commissioner Bain's question the setback is for the same purpose it's to allow, especially buildings that are gonna have ground floor retail, to be essentially up to the sidewalk. Because often times the sidewalk is within the public road right of way so this, by eliminating the setback would allow the buildings to go up to the sidewalk and that could help support specifically ground floor retail and/or restaurant café types of restaurants.

Mr. Apicella: So I'm gonna use Fauquier County, maybe the Gainesville area has an example, they do have, I don't want to call it additional buffering, but they do have some buffering along their, along 29 that is greater than a tree every 50 feet and I personally think it's visually appealing, maybe we don't need to have as much buffering but to eliminate it almost entirely seems pretty significant to me. I'm just curious what other folks, I think there's a potential happy medium, I'm just not sure we're going to an extreme here, I think some buffering or at least some more trees would not impede the commercial viability of shops, that's my personal opinion. Other folks feel free to chime in.

Mr. English: Is this gonna kinda look like, the Inner Harbor, I mean National Harbor, is that kind of what, what we're looking at? You been to National Harbor how they've got, their streets are wide and they've got some, they don't have any housing in there but they've got the apartments they've got the businesses and stuff, the streets are wide, they do have the some landscaping in there, some buffering and it's pretty wide, is that kind of what we're looking at?

Mr. Geouge: Personally I'm not familiar with the National Harbor...

*Planning Commission Minutes
December 2, 2020*

Mr. English: Are you Kathy?

Ms. Barnes: I'm familiar with it, but I don't know if this is the same thing?

Mr. English: That's what I was asking...

Mr. Randall: There's probably 30 feet between the end of the road and where the businesses start because they give a huge walkway, there's lots of room for people to pass back and forth, you know the problem I have with downtown Fredericksburg, it was done 100 years ago and so you can't pass more than three or four people at one time, it's very small and so my question is, I don't necessarily need it to be like National Harbor where there's 30 feet so the people will have lots of room but I surely don't want it to look like downtown Fredericksburg where there's no room you know I need to come up with a happy median that says alright let's get a wide road in there, let's make sure that we've got, but maybe we need to have about 15 feet from the road to the businesses where there's plenty of room where I can put some landscaping but I don't have to worry about turning sideways to pass more than three people at a time.

Mr. Geouge: Yeah so later on in the ordinance there are street sections which I think will be a good visual representation of we're looking at here and you know maybe once we get to those we can play around with the dimensions a little to what you might be comfortable with.

Mr. Cummings: Let me add a dovetail to what Steven said, I agree with him I think we need to have some, there's a happy median between zero, too much impervious space is just not good in my view, and I think we would want something to one environmentally and heat islands and everything else that goes along with it so I think if we could find some median I think are reasons why we should look to address that.

Mr. Geouge: Okay. Continuing on to parking, one of the big changes as far as parking is that we added a shared parking allowance to the UD district. This is something that we currently have in the PTND district so basically you can see on the table at the top of the screen here, based on which uses are sharing parking you have a certain allowance for a parking reduction with a shared parking agreement between those uses. We would also eliminate the UD specific parking table and all parking would now be based on standard parking rates in Table 7.1. I did provide a little comparison here at the bottom of the screen, comparing the current UD parking requirements to what's found in Table 7.1, so for retail you can see the UD requirement equates to about three point three per thousand. Table 7.1 low intensity commercial would be three per thousand but it does go up to seven per thousand for high intensity commercial but again factoring in the shared parking and things like that we think that could help there. For UD offices again about three point three per thousand currently. Table 7.1 is a little bit less at three per thousand. Childcare center in the UD is one per employee plus one per 12 children, in Table 7.1 it's two per classroom so it probably works out pretty similar. Single family is the same at two per unit. For multi-family it ranges from about one per unit to two point two per unit depending on the number of bedrooms however in Table 7.1 we have a flat rate of 2.2 per unit regardless of the number of bedrooms.

Mr. Bain: Brian?

Mr. Geouge: Yes sir.

Mr. Bain: Will all the parking be off street that's required or will on street parking be allowed?

Mr. Geouge: On street parking will be allowed.

*Planning Commission Minutes
December 2, 2020*

Mr. Bain: And does that, is that parking accounted for as part of this ratio?

Mr. Geouge: Yes, so they would be able to count those designated on street spaces.

Mr. Bain: And are, well that's okay, thanks.

Mr. Geouge: Getting into buffers and landscaping again so again this would, the proposed change would exempt UD from street buffer requirement which applies to developments adjacent to arterial collector streets. It would exempt the UD district from perimeter parking lot landscaping and vehicle access drive landscaping, again trying to kind of condense these developments a little bit more. As I said, street trees would still be required per the DCSL and in general the changes are intended to support a more compact development with buildings oriented towards the streets. And for street standards so as you can see in the ordinance there's a whole section devoted to street standards where you have graphic depictions of different street types as well as a short narrative describing those. We're proposing a few changes here, first we're proposing to eliminate the neighborhood yield street type which is shown on the upper portion of the slide here as it does not conform with VDOT standards and also we're proposing to eliminate the multiway boulevard street type which is shown on the bottom. We really felt that probably wouldn't be utilized in Stafford, it's geared more towards where you have a major thoroughfare bounded by urban developments so while we are removing it or proposing to remove it, we did add in language that would allow the agent to approve alternate street types if an applicant submits justification for doing so. And you'll see the dimensions on here for travel lanes, medians, parking areas, walkways, things like that so these are really intended to be minimums. In general where you have more of a single family type of development sidewalks would be required at six foot width and urban areas you have as seen on the bottom here, you have situations where the curb extends, you have a sidewalk that extends all the way to building frontage and you have a planning area there which is five foot width and a sidewalk which is a eight foot width and again that would be a minimum. So that would kind of give you an idea of you know what kind of swath you're looking at for pedestrian accommodations along these frontages.

Mr. Bain: Okay so you're not gonna have actually what that lower picture depicts with the parking on each side of the boulevard, that's eliminated?

Mr. Geouge: Correct, in this particular case that example is being eliminated but other examples that we're keeping have similar kind of sidewalk set ups.

Mr. Bain: Okay, but then the requirement for a sidewalk and tree planting area would then be 13 feet total.

Mr. Geouge: Right.

Mr. Bain: So from the curb line to the front of a store would be 13 feet.

Mr. Geouge: Yeah it looks like that planting area is actually six foot, it's a little blurry there but so 14 foot.

Mr. Bain: 14 feet, okay and is that only in the commercial mixed use buildings or would that apply to apartment buildings and such?

Mr. Geouge: Well in situations where you have that kind of full walkway between curb and the building it would be more, notice a dense sort of multi family mixed use developments with commercial retail

*Planning Commission Minutes
December 2, 2020*

and things like that, if you had a purely apartment development it could utilize just sidewalks at six foot width or if you had you know town homes and single family detached that could also be a situation where you have six foot width and when an applicant comes in with a reclassification to the UD they have to develop a master plan and they have to identify what streets are gonna utilize which design so that all is known up front when an application is reviewed.

Mr. Randall: Brian? So is there gonna be a table up here somewhere that we can look at that's gonna delineate these numbers so that we can, we can look at them, you know I think there's some, I think we needed to go, to talk a lot about the sidewalks you know if it's eight feet, you know you showed us at the very beginning the 105 acres I thought you said that would be down to about 85 acres. My guess is the intent going forward is that this would be a walking neighborhood, that you would drive, you would leave in the morning you'd come back in the afternoon but the rest of the day you would walk, you'd walk to dinner you'd walk to entertainment, you'd walk throughout this whole 25 acre, 85 acre development, right like two blocks down the road and then you'd be at your so if this is designed to be a walking neighborhood, I can't I don't think we need to stick with the standard anything. This needs to be more than the standard. If the standard is eight feet, we need to go more than the standard if this is going to be a walking neighborhood I think we need to encourage as much as possible you know a family of five going out and walking to dinner, walking to entertainment, walking to the central square during the summer. So I would like to be able to look at the sidewalks and I don't think it should be a pick and choose to the whole place, I think every UD zoning should have the same type of sidewalks, you know whether I'm leaving my town home and I'm walking or whether I'm coming back at night, I need to have something wide that I'm gonna not be... anyways.

Mr. Geouge: So in the single-family and attached and detached situations we are calling for six foot sidewalks, so really once you get up to eight foot that's the minimum for what would be considered a multi-use trail so it would accommodate potentially pedestrians and cyclists, for VDOT the minimum is five foot I believe for sidewalks.

Mr. Randall: Do we have a table that shows all that so we can look at those individually, do you know?

Mr. Geouge: So you could look, if you want the clean version it would be Attachment 2 starting on page 40, that's when the street standards section starts. So it's really once you get into more urban setting where you have mixed use buildings, retail uses, and things like that where you have street design where the sidewalk extends all the way from the curb to the building frontage.

Mr. English: Brian, in reference to the housing part of it, will they have streets in the back of these houses too?

Mr. Geouge: Potentially there would be alleys yes. There could be alleys that does allow for that.

Mr. English: And even for the businesses too, for like loading and unloading and all that stuff, would they do it from the back instead of the front?

Mr. Geouge: Yes sir.

Mr. McPherson: What about alleys between the buildings 90 degrees off the street, any requirements for that?

Mr. Geouge: Yes, there is a design for that as well.

*Planning Commission Minutes
December 2, 2020*

Mr. McPherson: Okay.

Mr. Apicella: Brian I'm sorry I'm gonna take you back. So, we're eliminating the bike lane, we're encouraging bikes but we're eliminating the bike lane?

Mr. Geouge: Well, so certain street types there would be a bike lane included so again a developer would have to identify where those are gonna be utilized. Apart from that they could potentially provide a wider sidewalk which would accommodate bicyclists but the standard designs don't necessarily accommodate cyclists in all situations.

Mr. Apicella: Elsewhere in this UD district ordinance it talks about giving credit for bikes and bike parking so I just think there needs to be a better connection between the encouragement of biking and credits for parking such that we're not eliminating the bike lane. If I were living in this community I would not want to be walking around competing with bikes on the sidewalk, me personally, again maybe others have a different perspective. And not only do you get bikes but you also get those motorized scooters that sometimes can be problematic.

Mr. Bain: The problem I have is that there is no definite master plan for the development. Developer A can come in and develop ten acres and include bike lanes. Developer B can come in right next door with ten acres, no bike lanes and the bike lanes that were proposed or installed by Developer A suddenly end. There's no, doesn't seem to be any way to enforce a master plan for interconnected bike ways or sidewalks, it just seems there's not enough known about what the developers are going to want to do other than possibly in the County owned land.

Mr. Geouge: That would be something we would have to evaluate when these applications come in. What do we have in place, what are we looking for, what is the bike/ped plan recommend and try to make sure those issues are addressed so that you have interconnectivity through those areas.

Mr. Bain: But there's nothing that would require it that I see in the ordinance is there? I mean if the developer doesn't want to continue a bike path, the ordinance doesn't say you have to provide that bike path does it?

Mr. Geouge: I believe you're correct on that in that they could choose to pick street standards which do not include written bike facilities. That is a possibility, but we would as staff, we would have to look at that and see if it's meeting our intended goals and make recommendations for them to provide those in certain areas.

Mr. Bain: But that's all it would be is recommendations they wouldn't be required to do it.

Mr. Apicella: Yeah I mean if I were a developer I'd want to know that that's something you want, I would have spent a lot of money engineering a site plan and then after the fact you're telling me I didn't have to have a bike way, a bike path per the ordinance but now you want me to do a bike path and now I have to reengineer the whole site.

Mr. Geouge: So, I guess one of the questions would be are we looking at bicycle accommodations on all roads or certain roads? Would it be focused on you know major corridors through the urban development or everything so if we know where we want to see them we can potentially you know incorporate those standards within some of these typical sections to make sure it happens.

*Planning Commission Minutes
December 2, 2020*

Mr. Bain: Yeah but that's one of the other problems I have, without a master plan that's set in concrete, you don't even, the developer doesn't even have to make the roads that you're showing in the pretty picture that the consultant developed, they could do an entirely different road network through their development so I just, I can see all sorts of problems occurring because of that.

Mr. Cummings: So let me ask the question, you're absolutely right I agree with you Mr. Bain, and the master plan would solve some things as well as the question that Bart asked earlier you know what's the goal right, and what are we trying to address, and walkable spaces is part of it and trying to keep that rural character which is my green and Steven's green spaces as much as possible how that can be implemented and I understand that it's gonna be a park and that might on the numbers basis actually serve to meet the green space and but the overall plan and you hit it right on the head Mr. Bain is that what is the overall master plan right? If we want bikes to be included then we should, it should be part of the plan, it should be a requirement for that area and brought up for what we're trying a goal we're trying to achieve for the County as a whole and is it plausible right? So we go through the analysis, we see what it looks like and see the costs associated with it and then we develop, we put that 402 developers or something that we would really like and based on the cost right and the cost benefit and so what would it take, there's a question in here, what would it take for us to be able to sort of to do something like that related to the bike path and the walkable area for downtown Stafford?

Mr. Geouge: Well we, as far as bike/ped accommodations we do sort of have a start to that effort and the bike/ped plan which does recommend facilities in this area however it's in this situation it's just along Courthouse Road so I would, I would think something like that might be better suited to a special area plan that we could develop for the entire downtown area because you know we're talking about rezoning these 29 acres for now but everything beyond that it could be very piecemeal and we could be looking at very small parcels.

Mr. Cummings: Because I have the same issues with impervious surfaces right, so there's a host of things that we could do in that area or that we should I think consider from sustainability and resiliency standpoint, alright, that could make its way in and I'm not looking at, I'm trying not to look at the Comprehensive Plan right now right, but yeah so those things if we could, could staff look at that and then come back to us and let us know what that would take for us to be able to develop a plan for this area.

Mr. Geouge: I can defer to Mike and Jeff on that because I know there's been some talk about updating the Courthouse area plan so if you guys have any other input on that?

Mr. Zuraf: One thing I just want to make a point is that the ordinance still does require that every rezoning that comes in there's still gonna be kind of a district master plan that's required and one of the requirements is to identify the street network including street network hierarchy. It does not specify bike though accommodations so maybe that's something that we could add in and then that would give the Planning Commission and staff and everybody that ability to kind of evaluate as you know if rezones are coming in piece by piece that we would be able to make sure that if the last project that came in at a bike lane that ended and you're the next project in we could make sure that that's continued so there is some ability there to capture that. One other point while I'm talking, on the issue that Mr. Apicella raised about the having some sort of buffers I believe the district still, the ordinance still does have transitional buffer requirements around the perimeter of the district so that could address that concern, correct me if I'm wrong Brian.

*Planning Commission Minutes
December 2, 2020*

Mr. Geouge: No that's correct, there's still transitional buffer requirements, but we're proposing to remove the street buffer requirement.

Mr. Zuraf: That's within the development.

Mr. Cummings: Yeah and to the point it does something, putting out a periphery helps but it doesn't alleviate hotspots right and so if we're looking to try and also help with the rural character of Stafford, downtown Stafford I think inserting some green spaces within that area would be helpful to soften it up and to help those environmental concerns.

Mr. Randall: So Brian I've got a question for you and this was to Mr. Bain's point. Is a zoning ordinance, if we put the zoning ordinance together and we added approved with the UD and the changes that you had, is this enforceable? Do we then come in and say you know anything you're gonna do as a UD zoning you have to follow the following 20 items and if we put an eight foot, if we put 15 foot sidewalks in all the UD zones would that be a requirement that they would have to follow?

Mr. Geouge: If it's in the ordinance and standard designs yes.

Mr. Randall: If we put a required bike path, bike lane on every road within the UD zoning would that be enforceable?

Mr. Geouge: Yes.

Mr. Randall: So it wouldn't, it wouldn't necessarily matter who the developer was or what UD zone they were coming to us for a rezoning for they would have to, they would have to follow the six or seven 25 basic requirements as outline by the ordinance. Is that safe to say?

Mr. Geouge: Yes.

Mr. Randall: Okay so I guess then to the point then is if we wanted to ensure that there was no difference from one zone to the next we would have to then include it in all the zones so that there would be no discussion of well their UD-5 it's require for that I'm UD-1 and it's not so therefore I won't type thing. Okay that's what I needed to know, thank you.

Mr. English: I think if you did that I think you might run into I see where you're going with it but what could happen if you had the businesses, you had some business there and didn't really want the bikes in front of their business how would you address that, is that, that's something, if you put the stipulation in there I think it may tie your hands... I don't want to say you've got to do this because you might have six or seven good businesses out front and then you have some outside dining and you don't want these bikes out there.

Mr. Randall: I totally agree that there's a discussion of whether we want it or not I was just trying to confirm at least for myself what we could enforce and if it's in the ordinance whether it's in there or not is up for discussion but whether if it's in there that then makes it enforceable to the County to whatever developer wants to come in to those zoning areas.

Mr. Geouge: Yes so whenever we would receive a reclassification or site plan we would look at these standards and make sure they are conforming at least to the minimum...

*Planning Commission Minutes
December 2, 2020*

Mr. Randall: Right and then we would have to, so the discussion still is outstanding about whether or not we actually want them or not but again-

Mr. Bain: Something like that could be based on the type of road-

Mr. Geouge: Yes.

Mr. Bain: Whether it was arterial or not so-

Mr. McPherson: And also if street parking was allowed. When we're talking about bikes we have to start thinking about how street parking is gonna affect bike lanes. That's a major issue.

Mr. Bain: Oh sure.

Mr. Geouge: So certain road classifications you may not necessarily want to encourage cyclists to use and there are certain roads that you may not need lets say a dedicated bike lane it could be a sharrow or something like that that's a little easier to implement.

Mr. Bain: Can I go back to something else right from the very beginning when you were talking about the consultant's plan you can't see it on the screen here but I looked at it when they had the big drawings and they had dedicated parking decks in their plan my question is how critical are those parking decks to provision of adequate parking for this whole development because those parking decks were not shown in the County owned land they were in the other properties and I don't believe you're going to be able to require a developer to build a parking deck versus an apartment building and storefronts and I know from experience that the return on investment on parking decks is terrible whereas the return on an apartment building and storefronts is much better so how are you going to force a developer to build a parking deck that would serve many other possible developers lands in terms of providing parking.

Mr. Geouge: That's a good question it kind of gets back to Jeff's point about you know why were are increasing these densities and the taking away the floor area ratio maximums for commercial development and things like that to get to the point where you can hopefully justify the development of those parking garages. On the conceptual plan there are garages shown within the County owned property there are some actually located within the multi family buildings themselves so those would serve those individual apartment buildings but as far as how do you require it for a developer there's no specific requirement to provide that sort of facility in the ordinance.

Mr. Bain: So then you're in a position like the city of Fredericksburg is where the city has to buy the land and build the parking deck when there's inadequate parking on streets and surface lots then.

Mr. Geouge: Well, yeah so public/private partnership, yeah, so what we're looking for initially here with the County land rezoning is to engage in a public private partnership to where you know we would, that's one of the key things we would look for is the development of a garage which is you know potentially gonna serve multiple uses in that immediate vicinity but yeah as far as future developments outside of our control, that's something that we would just, we would have to evaluate when those come in. They would obviously have to address parking somehow so if they provided surface parking they can't just come in and take that away without compensating for it somehow so if they had surface parking and they wanted to convert it to another commercial building or something like that then that developer would have to accommodate that potentially by providing a garage somewhere.

*Planning Commission Minutes
December 2, 2020*

Mr. Randall: On that note then Brian we talk about shared parking right, two different categories, how is that taken into consideration if there are several buildings literally right next to each other? If I have Building A and Building B is right across the street, Building A has its own shared requirements, requirement parking spots correct?

Mr. Geouge: Right.

Mr. Randall: Can Building B across the street take advantage of any of that shared parking or is every parking space that's attributed to Building A not available to Building B?

Mr. Geouge: So it would have to be evaluated per site plan that comes in is the best I can say. You could have shared parking not only from two uses but three or more potentially.

Mr. Randall: Three or more different buildings?

Mr. Geouge: Three or more different buildings or uses, correct. It does allow for that but when we receive a site plan for that development area we would have to look at what those different uses are, who is proposing the share parking maybe not all of them are but some of them, where those spaces are accommodated and make sure they are separate and distinct from any other spaces that may not be utilizing shared parking.

Mr. Randall: Okay because I could see that being a major issue if I have 2500 units in there and I'm gonna need to add a minimum of 2500 parking spots you're not gonna get them behind a building or on a street, you're gonna need them somewhere else.

Mr. Geouge: Right.

Mr. Randall: So, you know, everybody, maybe everybody pulls, puts in the pot and the County builds a big parking garage right in the middle to meet everybody's requirements. The second thing is the building heights. If somebody wanted to put a parking garage at the bottom of their complex, bottom of their apartment complex, these heights that you're talking about, do they include that parking garage is it from the ground or from the apartments themselves?

Mr. Geouge: It would be from the ground.

Mr. Randall: From the ground, okay, we would still be okay with a parking garage underneath the apartments? It would just be limited to how many apartments they could have on top is that correct?

Mr. Geouge: Right.

Mr. Randall: Okay. Thank you.

Mr. Geouge: Any other questions on street standards?

Mr. Harvey: Brian, this is Jeff, one other thing too to think about with parking is that the code currently, and also with this amendment, has minimum distance requirements for where on street parking or offsite parking can count towards meeting parking requirements. So shared parking can help but still the parking has to be within a reasonable distance of the building it's serving.

*Planning Commission Minutes
December 2, 2020*

Mr. Geouge: Thank you for the clarification Jeff. Moving on, so one of the things we worked on with this ordinance amendment is just I would say a general clean up so organizational changes. We consolidated a lot of these graphics into much fewer graphic which really conveyed the same sort of information in a much more streamlined way. We eliminated a lot of duplicate and unnecessary information, I would say just as an estimate we probably eliminated about ten pages of this ordinance just by removing these duplicate information and unnecessary information and consolidating things so hopefully and not only for staff it's gonna make it a little easier to enforce but for a perspective developer who's looking to rezone hopefully a little bit easier to digest. Next step on this is for the Planning Commission to authorize public hearing for the Comp Plan amendment and Zoning Text amendment. Both these items have a deadline of February 12th, so that would make the latest date for PC action February 10th and also to conduct a public hearing on the zoning reclassification which doesn't currently have a deadline but JPI's obligation is July 9th for that. All these items can be scheduled simultaneously and staff is still in the process of receiving input from other departments for the rezoning classification to put that application together. And that's all I had for my presentation.

Mr. Apicella: Thanks Brian.

Mr. McPherson: So we potentially have three meetings between now and February 12th, one more in December next week, two in January, right?

Mr. Geouge: Yup.

Mr. Apicella: Right so I think the notion here is that we would have to put something to a public hearing, in order to meet the deadline the latest opportunity as noted in the staff report on the Comp Plan amendment and the Zoning Ordinance changes those would have to be scheduled for the public hearing at our January 13th meeting to meet the February 12th deadline, right? So, there's a lot here and ultimately not a lot of time to get a final package ready to go for the public hearing.

Mr. Geouge: Yes you would need to authorize the hearing in January.

Mr. Apicella: Right. So, with that additional questions for staff?

Mr. Randall: I have one. Do you have the staff report in front of you Brian?

Mr. Geouge: Yes sir.

Mr. Randall: On page... I'm looking at the one online...

Mr. Geouge: Which attachment is it for?

Mr. Randall: Attachment one, page 61 of 82. Yeah it's 64 of 246. You see where I am Brian?

Mr. Geouge: You said 61 right?

Mr. Randall: Tandem parking?

Mr. Geouge: Yes, yes.

*Planning Commission Minutes
December 2, 2020*

Mr. Randall: On line item two, the two parking spaces in tandem must have a combined minimum dimension of eight and a half feet those are not including the new parking standards, correct?

Mr. Geouge: Right, those are based on the old standards.

Mr. Randall: Right I figured that they were based on the old standards.

Mr. Geouge: So that'd be 9 and 40.

Mr. Randall: 9 and 40?

Mr. Geouge: Yup.

Mr. Randall: Okay thank you.

Mr. Apicella: Other questions?

Mr. Randall: Mr. Chairman are we gonna be able to see a more, a more clear draft of what we're looking at at our next meeting on the 9th? I see a lot of strikeouts but I'm gonna need to see something probably a little more final in order to...

Mr. Apicella: So that's Attachment 3 is the clean version of the ordinance change.

Mr. Randall: Ah, sorry.

Mr. Geouge: Attachment 2 I believe.

Mr. Randall: Attachment 2, sorry, okay.

Mr. Apicella: Okay so I'm gonna go ahead and swoop in since I'm not hearing some questions. So again the UD district's been allowed in Stafford since 2012 and we've only had two UD applications that went to the Board for consideration thus far. One was approved that was Abberly with some number of apartments and a college site and that was a UD-4 proposal and one was denied that was Rappahannock Landing a UD-3 proposal and that was just a proposal to develop apartments. So the UD district it's primarily envisioned to absorb growth in the County's targeted growth area, is that the correct statement?

Mr. Geouge: Yes.

Mr. Apicella: And is that, is that clear in the ordinance and in the Comp Plan that that's, it talks about urban areas but is it clear there's a nexus between urban development and the targeted growth areas? Does it actually say that anywhere? I don't think it does.

Mr. Geouge: Okay I was seeing if Mike may want to chime in on that one but...

Mr. Zuraf: I'd have to look into it.

Mr. Apicella: Right but I guess the point is if somebody came in with a proposal and they wanted to put it outside the TGA I guess I would say shame on us for not saying that's not really where we wanted it, we really wanted it in the targeted growth areas. Do we, you mentioned that there may be some in the

*Planning Commission Minutes
December 2, 2020*

que, I don't know how many there may be but a more generalized question is why are we not getting more urban development zoning applications? Do we have a sense based on the consultant, conversations with the three or four multi use developers that were consulted?

Mr. Geouge: I'm not certain, it could have something to do with the density limitations or I know Stafford has, from what I've heard, been perceived as not friendly towards multi family developments so maybe that's a part of it. I think a lot of these UD rezoning proposals that come through are, my impression is that they're more so to get that additional density that's allowed in the UD, up to 14 units per acre which is really more of an appropriate density for an apartment complex as opposed to our R3 which is only seven units per acre.

Mr. Apicella: I hear you but this kind of goes to my next question which is are we comfortable that the proposed policy changes will encourage and redirect more growth in the targeted growth areas or are we just kind of spitballing and hoping that we're getting it right? I mean we may have more bites at the apple down the road but who knows so the question is, is the porridge just right or is it still too cold or is it too hot? Do we know?

Mr. Harvey: Mr. Chairman, I'll chime in, we don't know and we probably won't know until we see how the market reacts but certainly from my understanding talking to developers is our multifamily density in Stafford County is too low to encourage multi family type of development so that would be the probably type of development that would likely want to locate here in the targeted growth area in the Courthouse area. As far as other types of development some of it would be dealing with our infrastructure issues and the Board's willingness to approve rezonings in certain areas. Going back to your previous question about the purpose of the UD Ordinance and whether we could or how we would evaluate somebody coming in for a rezoning outside the UD zone, the existing code talks about the purpose of the UD Ordinance and it's the second sentence of the purpose says "The UD district shall only be applied to property located within Urban Development area designated on the Future Land Use map in the Comprehensive Plan and for our purposes in our Comp Plan the Urban Development areas are TGAs.

Mr. Apicella: I hear you but that's disconnected. I think we should say that. I think to be clear we should say just what you said in the, you said it's in the Comp Plan maybe we should use some additional words to make that clear in my opinion. I don't see the down side of doing it.

Mr. Harvey: Yes we certainly can clarify that purpose and intent of that district to make it more clear.

Mr. Apicella: Yeah, I just, my other question is again, not to kind of confuse this with downzoning but during the briefing on downzoning I think there were some other things that were discussed as it related to TGAs and some other recommendations on I guess I'll call it process changes that would further encourage growth in the TGAs which seems disconnected from what we're doing here and I'm wondering why or how we could consider that now again, so there's two pieces to it there's the policy and how much does the policy need to change and is the policy changed enough in these different proposed, not proposed but in these zoning districts in these UD districts has changed so that's the first part and the second part is have we changed or should we change policy, I'm sorry, the process to again also further facilitate people coming in with UD development proposals when they might not otherwise and so I'm, maybe it's a rhetorical question but we haven't really gotten to the process changes piece of this and I think that's not unimportant. We, have we reached out to the, have we further reached out to the development community and shown them what is on the table right now and gotten any input beyond the conversations that you already had with certain developers?

*Planning Commission Minutes
December 2, 2020*

Mr. Harvey: Mr. Chairman at your suggestion we went and contacted the Fredericksburg Area Builders Association and the Fredericksburg Area Realtors Association, we didn't get comments back from the realtors association they seem to be generally supportive with the proposed changes and that it may help bring on the opportunities for more affordable housing. They didn't really have any comments that I could recall that went to specific code section amendments.

Mr. Cummings: Can I ask Steve, maybe you can edify me a little bit, tell me what kind of process changes, because I too think that there is some things that we could do to incentivize folks to take advantage of the rezoning in the targeted growth areas but I'm not sure exactly what types of issues I don't recall what issues came up at the joint hearing and yeah so it would be helpful if you guys could talk through, you too Jeff, some of the potential issues.

Mr. Apicella: It would definitely be the better person, because I think he briefed it so, maybe you could talk about I think there were four or five things that were briefed and there may be some other things that developers would like to see happen to again, facilitate their submitting proposals down the road. Do you remember what those were Jeff?

Mr. Harvey: Some of the things that were discussed briefly were the as you mentioned Mr. Chairman, a way to streamline the rezoning process so applications within the targeted growth area could move through the process faster than other rezoning applications, because time is money for developers. There was discussion about whether or not the Board would want to proactively rezone certain areas to UD sub zones based on a master plan. We'll be doing so much of that to a limited degree with the rezoning of the County's property off of Courthouse Road. There was also discussion that state code allows localities to waive certain fees within the targeted growth areas, could be that the Board would want to incentivize developers they could waive the rezoning application fees or charge a reduced fee if you were developing in the targeted growth areas or look at other fee adjustments to help make the targeted growth areas more attractive for development.

Mr. Apicella: And again I'm not a developer so I may be speaking out of turn here but I got to imagine that developing a master plan is very exp-, engineering a master plan is very expensive, probably I'm just spitballing 250-, 500,000 dollars plus and so a developer putting up a lot of upfront costs not knowing what the County's gonna do on their proposal might have a chilling effect on people wanting to come in and spend that kind of money if it's gonna be turned down so I wonder if there's some way, some process some document that would allow somebody to come in and say hey this is what I'm thinking of I have a concept plan you know, do you guys like it do you dislike it before I spend another you know three or four hundred thousand dollars tell me if this is a likely go or no go. Again I'm probably not saying it the right way, Jeff you might have a better sense but I just think there's a big upfront investment potentially for a developer on the size and scope of a UD type project and not knowing where it's gonna end up, a developer might not wanna come forward and spend that kind of money, I don't know if I'm making any sense Jeff or anybody else.

Mr. Harvey: Yes, you're making perfect sense. Brian, Mike, Kathy, and myself we often meet with developers prior to them filing anything with the County and we encourage that so that you get at least some idea from a staff perspective where your application fits into the Comprehensive Plan and the likelihood of that surrounding area for development. Also too we encourage people to meet with their Planning Commissioners and Board members in advance to filing applications because as you said Mr. Chairman it's a very expensive endeavor for someone to go through a rezoning process especially when they have to do preliminary engineering, architectural designs, hire their attorneys to represent them and the whole nine yards. Unfortunately we can't give them any guarantees but developing a detailed master

*Planning Commission Minutes
December 2, 2020*

plan is certainly very helpful for them because it gives them a real strong idea of what the County would possibly be willing to accept. Similarly with this Comprehensive Plan Change it does give some semblance of ideas to developers who were looking at certain road type streets, general type of housing that we would allow, general type of commercial we would allow, so that gives them at least the framework to start with before they even come and talk to the County representatives.

Mr. Cummings: If I could jump in I think that that's exactly the point, I think the elephant in the room is, is an unknown quotient. Stafford is unknown and the and I'm gonna say it the Board of Supervisors you know, proclivity to not prove anything that's multi family or pro gross is out there in the universe and so for us to process change I think is laudable, there are some, maybe some, some concerns about how that's gonna be done and I'm sure our County attorneys will be on that and help us do it in a way that won't get us in trouble and be fair for everyone. But aside from that I think that maybe some marketing things or some other things that we could do that could get the word out there, maybe providing people with some ideas about what we're thinking about and what we're actually looking for and so anyway I'm willing to help with that in that regard.

Ms. Barnes: Chairman Apicella, can I make a comment if you don't mind?

Mr. Apicella: Yeah, please.

Ms. Barnes: So, bigger picture here, we're not bringing this us, is we're talking about where we would like to see the growth in the TGAs and we'd like when the developers come in and to me it's not matter of fact of whether we like to have it or not it's whether we can afford it or not because right now I really encourage everyone to go and look at that School Board and Board of Supervisors joint work session from yesterday and when the School Board came in and gave their presentation and we're at an absolute crisis point in our schools and whether or not we would like to see this depends on whether or not we can do it and we, I mean our next elementary school is not until 2030 and I've been told we actually probably need two elementary schools and who's going to pay for that, how are we gonna do that. So whether or not we like this stuff it's kind of like you know what does a kid want for Christmas well I'd like this but can we afford to do it and I think the big reason why we get those zonings that are turned down is because you come in and literally those schools are you know upwards of in a high 90 percent full and there's no new, I mean the courthouse has been pushed back, the schools are in dire need, they need probably one high school and they even proposed putting high school number seven last night somewhere on the horizon so do we want to bring in that kind of thing and build all those schools? And if we do want to, you know this is big picture stuff this is not whether or not we like it or want to it's can we, and I think that's missing from the conversation a little bit.

Mr. Apicella: What I'm gonna say to that is unfortunately and we had this conversation when it came to downzoning, and I hate to keep using that word but we know from the Comp Plan effort previously unless things have changed and we'll know once we do a redistricting and get the census information if numbers are gonna change but we're currently projecting that every year around 1050 new homes are gonna be built in Stafford to accommodate additional growth and looking at that from a County wide perspective at some point you're gonna hit a trigger where you need a new elementary school, you need a new middle school, you need a new high school, you need new fire stations, on a County wide basis. You've hit that point regardless of where the development occurs. Obviously it's better to have schools closer to the actual developments and that's one of the reasons why TGA is a preferred option because potentially you might get schools closer to where the actual housing occurs but this is just a mechanism to move growth into an area that fits, potentially supports the infrastructure or where the infrastructure could be built down the road. It doesn't change the number, it doesn't change the demand signal, we

*Planning Commission Minutes
December 2, 2020*

have that demand signal already. It's already gonna happen so it's only a question of where does that growth occur and that is further complicated by the fact that we have so much already approved but unbuilt lots, primarily in the suburban areas of the County and we are not getting the growth in the TGAs that were projected so how do we, how do we smartly encourage that growth to occur into the TGAs versus elsewhere and to the number that we were projecting or hoping for which is 50 percent of the new growth. I hear what you're saying I mean that the problem is already there, I don't have the magic solution, I don't think staff has the magic solution this is just how do we balance the growth that will definitely occur in Stafford whether we want it to or not. So feel free to chime in on that point.

Mr. Cummings: Let me add another piece to that Steven, it's we want business right, and we want businesses to come here, we want large businesses that can create jobs and do everything else and this is part of it, this is part of managing or having a plan for getting more schools and it will create the revenue on base that we need in order to provide the services that we're trying to get if we put, if we manage that except for the plan to get the growth in that targeted growth area so it's part of the entire milieu if you will, it's the mixture that we have to figure out and get right and we can't keep backing away from it which I think Stafford has been doing for quite some time and it's starting to show and we haven't even talked about the whole resiliency piece that we probably have to address at some point but I think the, if we can get developers here to partner with us to address some of those problems be very open and honest about the cost associated with it, gentleman and I hear he's the largest developer in the County or in this area has said that they're willing to pony up well call them on their commitment. And I think that it behooves us to have the plan right and to set up the plan as the way we think it's going to be best for Stafford in the long run that takes into consideration not only the social, the housing needs, etcetera, but also what that's gonna do for us as a business community and a place where people want to come and open up business and I think that's a critical component as well.

Mr. Randall: Mr. Chairman, I have a question for Brian if you don't mind.

Mr. Apicella: Sure.

Mr. Randall: To get back to what we were, the question, if you could go to the Attachment 1, page 37, 36 I'm sorry, should be a diagram of a... what am I looking at...

Mr. Geouge: Commercial building.

Mr. Randall: Commercial building, right? So, explain to me, and I guess I apologize to everyone because you can't see it on the screen, we have it in our staff reports, explain to me what I'm looking at when I see a primary street A, you know that blue area and the minimum is zero and the maximum is ten so let's assume that it was zero, where would that building be in relation to that blue area, would there be a blue area or would it be literally right up to that white sidewalk is what I'm assuming that is.

Mr. Geouge: It would be just behind the sidewalk.

Mr. Randall: It would literally right up to the sidewalk. Right up to that sidewalk?

Mr. Geouge: Depending on where the right of way falls there might be a foot behind that sidewalk before the property line.

Mr. Randall: Right so do we think that's a good idea to get rid of that five foot buffer? That five foot setback to put that, to literally put that building up to within a foot of the sidewalk? I'm hesitant, unless

*Planning Commission Minutes
December 2, 2020*

that sidewalk is 20 feet wide, I would hesitate to put anything, that means, especially if this is a commercial building right, that means there's no room, especially if the sidewalk is only ten feet, there's no room for outside dining, there's no room for a little area where I could have a couple of tables and chairs, you know every place that I've been that has a downtown area that has commercial buildings, that has eateries, they all have someplace where you can eat outside, they have some little partitioned off area, maybe five or six feet wide where they could put a couple tables, a couple chairs, you could eat outside, you know and I don't see, I don't see that opportunity here at all, especially if you take away the five foot setback and you put that literally right up to the sidewalk, you know. Maybe we make that a ten foot setback and that way we allow them to all have outside dining. Right? Rooftop dining, same difference, right? Where we have rooftop dining if a ten foot setback, if they don't want to use it then you gotta walk an extra ten feet into the okay, but then you have a ten or 12 foot sidewalk where people can walk on the sidewalk without interfering with the setback, that's really the downtown that you want, you want people to sit outside, you want people to engage in a community environment. I'm really concerned that we have a commercial building or a multi-use building with restaurants on the bottom and apartments on top where there's no room for anybody to sit outside and eat, there's no room to sit outside and bring your dog and have your dog sit next to you and give him some water and just people watch, you know that's what we really want, we want people to sit and stay, come back, you know outside dining so I'm... yeah I guess my concern is the zero to ten foot, if I had my it would be ten foot minimum so that there would be an outside eating space, rooftop eating, right and then you would have a 12 foot, ten to 12 foot sidewalk, right and that would really then bring people because what brings people that sense of community, open, eating, sitting down and talking, sitting down and bringing my dog and walking through and you know all of those things, so I would like to at least engage a little more in how we make this more people friendly, family friendly type environment. Thank you.

Mr. Apicella: Mr. Randall, I'm with you on the setback, whether they're sitting outside or not, I have concerns about putting a building right up against the sidewalk, I just, I'd have to see what that looks like in reality versus what it looks like on paper but it just doesn't, it strikes me as something that...

Mr. Bain: Visit downtown Fredericksburg.

Mr. Apicella: What's that?

Mr. Bain: Just visit downtown Fredericksburg.

Mr. Apicella: Yeah I'm trying to think of a building that is literally right on the sidewalk, can you think of one?

Mr. Bain: Every building on downtown Fredericksburg is.

Mr. McPherson: Well what if a building was willing to set back ten feet and create a ten foot wide eating area, would that eating area count as the building if they had a fence there between the sidewalk and the tables if that counted as the building, that would be their setback. I mean the wall is over here, their fence is here and they're eating in between, could that count as a side of the building or does it have to be the wall?

Mr. Geouge: It would be the wall.

Mr. McPherson: That's the only thing that counts is the wall?

*Planning Commission Minutes
December 2, 2020*

Mr. Geouge: Even awnings or stoops may not necessarily count.

Mr. McPherson: But that's something we could think about.

Mr. English: He brought up earlier that this was kind of a concept in Rockville, Maryland that they had the same thing, is their building set right on the street like, do you know or are you not...

Mr. Geouge: I believe they are, they have a wide sidewalk situation where it's curb to building.

Mr. English: I'm envisioning like in the National Harbor the way they set up, that's the way I'm envisioning it. I mean that's the...

Mr. Apicella: Maybe when we have another, when we get another shot at this even this close as next week, you could show us a picture or two of what this would look like because again it's hard for me to envision it just seeing it in a diagram versus seeing it in a picture.

Mr. Cummings: And if you can play with the sidewalk widths because I think that that helps, when you said the zero setback when I looked at the, I imagined wider sidewalks, something akin to the spaces that these gentlemen were referring to so with the six with sidewalks right with the zero setback it is a little tight. And I understand it's, the idea is to maximize the density for the development but if we could figure out how to see how it looks with a couple of different options, would that be too much?

Mr. Geouge: I could pull some examples together, I think a good point of reference that was said is probably downtown Fredericksburg, even portions of downtown Richmond or Cary Street if you're familiar with those areas.

Mr. Randall: There's a very nice place in Shirlington with is just south of Arlington, there's a very nice walk, it's about half a mile long and it has, again it's a community, they have lots of apartment buildings close and everybody goes to the downtown Shirlington area and they eat, there's great restaurants all along and every single one of them has outside dining available because the buildings are set about 30 feet off of the road and part of that is outside dining part of that is a walkway, they all bring their dogs it's a pretty good set up over there and so National Harbor, the Shirlington area, there's a good...

Mr. Apicella: Okay I do have some other questions but I want to ask if others want to jump in and have any other questions themselves? Okay so I'm gonna ask a question sort of on the flip side of both policy and process changes and I hate to use this as an example but do we have the policy in place to ensure that we're actually getting mixed use versus a single housing type and/or no commercial and I'm gonna use an example. Again, we've got a project that came to us sometime ago called Rappahannock Landing, it was a single use apartment only proposal, I don't remember the exact number but it was over 300 apartment units and to me we're setting ourselves up because we're saying we're allowing different types of uses either residential and/or commercial but we're not saying that you have to have other types of uses so when somebody comes in and says hey I want to take this parcel of ten acres on a UD-5 and I want to build 500 apartment units, it doesn't say that you have to do the other things, it only allows the other things to happen and my concern is, in the absence of being clear, both from our side and from a developers perspective I may be giving you what you told me you wanted but in reality that's not what really you want and so what we're gonna have with these urban development areas, you're not gonna find a lot of circumstances where you have one parcel that's big enough or is owned by one property owner and they can control everything that happens. It's probably gonna happen in a piecemeal fashion like it did in that particular case but it was disconnected from anything else that might happen on

*Planning Commission Minutes
December 2, 2020*

adjoining parcels. So I guess what I'm trying to say is they gave us an apartment only complex at or close to the maximum density allowed and that's not really what we wanted or envisioned, we envisioned other things happening there and so how do we ensure we actually get more than one housing type and/or other types of uses without, in the way that the current policy is crafted? Again I'm not sure if I'm being clear but we don't want maximum density for the sake of maximum density. We want these urban development projects to be connected to other projects that are right next to them so that they're integrated and that they have the connectivity and they have the other types of uses including different housing types and/or commercial so, somebody chime in and help me.

Mr. Cummings: No I think you've got it spot on, I think it's process and it's also the lack of a master plan right, I think that's part of it, I think the staff does a great job of sort of you know keeping the uses and can potentially keep them but I wrote the question down, how do we know what percentage we want of each and I'm not sure if it's in here I think there are some charts here, I did what targets of what we would want or I've seen when I was reviewing some other material so I think that you know as long as we have a road map in some way, a road map, I think that will offer us a guide post and I don't know if staff has developed one, has staff developed a mixture for the downtown area of different uses, affordable housing...

Mr. Apicella: This isn't just about downtown Stafford, I mean by itself we could already see other things are gonna happen there, we already know we have a rezoning proposal that's gonna have a mixture of at least apartments and other uses there but outside of that again going back to the Warrenton Road targeted growth area we got a single use project, 100 percent of which was apartments and that's not what I and nobody, there was nothing else near it, another UD project near it so we couldn't say okay you're meeting the construct because there's a UD level of townhomes nearby or other commercial nearby to make it a walkable community so somehow we've got to, in my opinion, we've got to say if you're coming in with a piecemeal project, it's gotta be more than one use or you have to show us how it's gonna connect to another urban development area that's already there or in the works.

Mr. Cummings: So for me I see the mixed use and housing types, right and so we can maybe make it a little more specific with respect to the mix of uses and saying commercial, residential, what have you, right, to a certain extent, but I understand why you didn't. Why it's not in here but to me I think it really does come down, changing the ordinance as it reads to me is fine, I think it's in our lack of a master plan where we have the potential to run afoul and so if we could and again I'm not sure what process is for developing a master plan or keeping track of the uses within a particular area like Warrenton Road and potentially us incentivizing right, the types of uses that we want to see like, I'm stuck on multi family I'm sorry because I think it solves a lot of ills for us and creates a different environment for folks that would want to come and build and get density and some other things so I think if we could develop, how would that work in terms of with Planning staff, how would we create a process and a protocol that allowed us to develop in short of not having, creating a master plan tomorrow how could we address the challenge that Steven talks about?

Mr. Geouge: I think in this situation it's good that we have the advantage of having a starting point that we do control being the County-owned property that's being rezoned so we have that to establish what we think the downtown should look like. So in this particular case if we were to receive rezonings adjacent to that property we would be able to better evaluate it for compatibility with our vision to make sure that we're getting what we think we should be getting. As far as other targeted growth areas, right now it would just be, it would have to be evaluated on a case by case basis as rezonings come in. Of course we would evaluate that against the general recommendations of the Comp Plan but with the lack

*Planning Commission Minutes
December 2, 2020*

of any specific special area plans in place, we wouldn't necessarily have an idea of what uses should go where, apart from you know commercial areas along major roadways and things like that.

Mr. Cummings: I'm with Steven now because you know we have to figure out a way to either find a way to integrate it into the ordinance or develop a process of protocol or a plan. One of those options, one of those three options has to be put in place and so I leave it up to staff to recommend which one.

Mr. Randall: Mr. Chairman?

Mr. Apicella: Jeff you were about to chime in.

Mr. Harvey: Yes, thank you Mr. Chairman, going to the point that you raise and also what MR. Cummings is also recommending is when we look at where our ordinances are constructed we have the PTND zone which is Planned Traditional Neighborhood zone. It's a less dense zone than what we have here for the UD but it requires a minimum of 20 acres and it requires three different transect zones or sub zones. In the UD zoning district we have five different subzones but right now no requirement to have multiple sub zones or multiple uses but getting back to your point Mr. Chairman when we look at the PTND and the PD-2 zones their requirements that they have to be, any dwelling unit has to be within a certain walking distance of certain non-residential activities whether they be recreation, shopping, or other community uses so that can be something we can think about in regards to the UD zone and make a requirement that there be these types of activities within a certain distance of the area being rezoned.

Mr. Apicella: I think it's more than activities, I think it's compatible, additional housing types and/or commercial. Again, I'm going back to my example where right now the way I read the UD-5 proposal, if you had a ten acre parcel you could build 500 apartments and that's it that's all your required to do, you don't have to do anything else and that's not what we want in UD-5 and quite frankly I don't think that's what we want in UD-3 or UD-4, we want a mix at least some mix, not just apartments, not just townhomes, or not just single family and town, we want more than just one housing type and we also would prefer some commercial in many of these zones to kind of offset the impacts associated with the development. I'm just saying right now it's all very disconnected and people can come in with piecemeal proposals as they did with Rappahannock Landing and I feel bad for those folks but at the end of the day that's not what we wanted we didn't want just 300 plus apartments at the highest level density they could possibly get. We wanted more than that, that's, there's gotta be more to UD development than just getting one type of housing at the maximum density, I know I'm repeating myself, that is allowed. Somehow we need to fix this so that that doesn't happen in the future. I don't have the words, I'm just saying between now and the time this comes to a public hearing when we get the final language I think we need to fix this. I think it's a big potential gaping hole of us not getting what we really want and developers spending a lot of money trying to come up with what they think we want, again in reality turning out to be that's not what we want so...

Mr. Randall: Mr. Chairman, can I ask another question on top of yours? The very beginning of your presentation you had an overview of the downtown Stafford area, could you go back to that for me please, right there. So, I'm gonna make a hypothetical and I'm gonna kind of put you on the spot for a minute and I don't know there is a key to all of this, it may be down on the bottom and I'm not looking at it but I'm sure you're aware of those. So, if I was to park my car currently where it's parked, right outside here and I walked across the street through the walkway that will be available, where do you expect that I would be able to walk with my family and enjoy a nice downtown walk in the downtown Stafford area? What would be contiguous so that I could go from eateries, I could go to a park, I could go to eateries, I could go to different shops I could go to different, where would that walkway be and

*Planning Commission Minutes
December 2, 2020*

how long would that walk be? How long it would be, where would you expect that in downtown Stafford?

Mr. Geouge: From where we are now?

Mr. Randall: From where we are right now.

Mr. Geouge: So the way this plan is set up we have a proposed community area, basically a park so to speak where you have a gathering space surrounded by shops.

Mr. Randall: How long is, how big is that park?

Mr. Geouge: Let's see...

Mr. Randall: A bigger tot lot? A park for adults? That slide can't be that big.

Mr. Geouge: If I'm reading this correctly it's half an acre.

Mr. Randall: Herein lies the genesis of my question so, go ahead. Take me on this walking tour from here as I walk through and I enjoy a four o'clock in the afternoon on a Saturday until nine o'clock on an afternoon on a Saturday in July. You know I want to walk in different stores I want to peak in and look at certain things, I want to take my family to eat, I want to sit in a park and enjoy the day, where would that walkway go?

Mr. Geouge: Well the way this is set up it would be really just focused on these two major roadways here. So, the buildings up front on the line that I drew are generally where this plan proposes ground level retail and restaurants and things like that.

Mr. Randall: Just on that major thoroughfare, all the way up to the residential.

Mr. Geouge: Yeah so the purple buildings are shown as office. There's some that are mixed use office.

Mr. Randall: Yeah right across from, right on Courthouse Road, yeah they can have all the mixed use they want over there.

Mr. Geouge: Yeah. So, the ones that say MUR means Mixed Use Residential so those would have a ground level retail, restaurants-

Mr. Randall: So you'd go up one side of the road, you'd go up one side of the street and you'd come down the other side of the street and spend five minutes in the half acre park.

Mr. Geouge: And potentially some of these side streets.

Mr. Randall: Well and I think this is where I think everybody's trying to go here is I don't think, at least for downtown Stafford and Steven makes a good point about overall the TGAs but I think there's been some consensus here about there needs to be some type of a plan that says my walkway, my downtown Stafford, remember we only get one shot at this we're not gonna get a chance to change it and to fix it when we realize that it doesn't, it's not drawing the people that we want you know, where are the ones that are popular, what do they look like, what do they have, and I'm not sure up the street and down the

*Planning Commission Minutes
December 2, 2020*

street has what we need you know? Is there a circular part do I include the 04 NUR, SR do I include, do I make that a circle, do I have a downtown area that's four or five acres that has a pavilion, that has places where people can start play a band, where I can come and have people sit down and bring their chairs and enjoy outside entertainment, I thought that's what we were looking at. You know we're not gonna get that at half an acre. Half an acre is just barely bigger than this room. And so I'm concerned that you know we're trying to get, we've swung the pendulum too far and we're not, I'm trying to identify that this needs to be a place everybody wants to come, come, everybody wants to walk to, I literally could walk if I wanted to from Embrey Mill, right if I wanted to I could put everybody on their bikes and bike here right, but I don't see this drawing families to spend the evening right because there's no place for them to sit and enjoy themselves because they can't do it in a half acre park. I need a four or five acre park, I need some place where I can have bands come in on Saturdays and Sunday nights and Friday and Saturday nights and there's places where people can come and sit and enjoy and talk with their friends and talk with neighbors and I don't see that so, I know there's a vision but I'm really concerned that it's not gonna provide what we need and then to Steven's point you know if somebody comes in and says I'm gonna build 25 townhomes and that's all their gonna build and the allotment for this whole area is 40 townhomes I've just let somebody like Rappahannock Landing right, they wanted to do apartments and after we did the, we figured it out, we figured that they were gonna take up 80 percent of the allotment for apartments for that whole TGA was gonna be in that one apartment complex. And then everybody else who wanted to build there was gonna be responsible for commercial, retail, and townhomes, ya know, and Steven's point that just wasn't gonna work so I think to the , there needs to be some level of guidance, some level of a plan that says this is what my downtown Stafford's gonna look like, this is what I want it to look like and if I can bring a builder in to build it like this than bring it on, you're gonna find a builder, it may not be who we normally see but you're gonna be able to find a builder that can do that but I just don't know if a half acre park is gonna cut it. Thank you.

Mr. Cummings: Can I jump in again, I'm sorry, I agree with Bart to an extent where I depart is that you know this is, this is the beginning right, this is the catalyst and I would love for it to be perfect and I think the plan if we could do that, master plan or at least get someone to look at it and reimagine it especially with the walkable space because he makes an excellent point about circular, you know just a path, roadways, and how it's going to be developed as well as just the bike paths and everything else so I think there's a lot of room for improvement but I think it is it's just a start and I think if we, so I don't think we're gonna get everything that we want but I think there's a great opportunity for us to get the bang that we want out of it because I think that we have a good start with that so and to also to Steven's point I think that purpose of the UD, creating the changes to the UD district I think it's in the purpose, I think I tried to wordsmith it and then I looked and I said oh it's mixed uses and so it's really compatibility can be added in or some other qualifying term might be able to be added in but I don't think it's absolutely necessary but I think so for me I think if we can look at modifying, using some language to address Steven's concern and if we can map a way a path towards developing a plan, there's certain portions of it that we just are given, I'm not sure of what the schedule is for you know putting dirt in the ground, shoveling the ground but I think if we can develop, work towards developing a master plan, well first let me ask a question, I gotta start asking questions, is that possible for us to develop a master plan for the downtown Stafford area or is it too late?

Mr. Apicella: Dexter?

Mr. Cummings: Yes.

Mr. Apicella: I'm gonna chime in here. There is a master plan, it's called the small area plan for the courthouse, a lot of time and money was spent on it.

*Planning Commission Minutes
December 2, 2020*

Mr. Cummings: Right.

Mr. Apicella: And I guess the real question is and what we haven't seen per say is how does this, we've got two pieces we've got the Burns Corner piece that's, I can't even remember what that is in the process and then we've got the Fountain Park piece along with the County piece, how does it all fit together, it's all these puzzle pieces, how does it all fit together with the overall small area plan that was developed, gosh knows how long ago what was it, eight years ago? Mike please chime in because you spent a lot of time and effort on that.

Mr. Zuraf: Yeah, so again the Comp Plan amendment portion of this effort is going to incorporate that image that Brian had up on the screen that would be I guess you could say the next iteration of the small area plan for that area of the courthouse targeted growth area so that does then provide I think the Commission some level of, so as projects are coming in piece by piece you'd have this master plan to at least measure projects against and so yeah if it is a project that maybe is only proposing residential if that happens to match with what is on the master plan then that would be okay-

Mr. Bain: But you have no way to force them to match that small area plan. The developer can come in, it's zoned UD and he can decide what he wants to put there whether you have a small area plan or not, you have no legal way to force him to meet that plan, right?

Mr. Zuraf: If the County zones it in advance, they're well, *inaudible* how the process might go.

Mr. Bain: No you can't zone it to that plan. That plan shows green area in one area, offices in another, you cannot legally enforce that plan unless you own the land.

Mr. Apicella: The County can rezone on it's own just like they're doing with the, I'll call it the Fountain project/downtown Stafford but the problem is when you do that, when the County does the rezoning and you lose the ability to collect proffers so and that's not insignificant when we're talking about the numbers that are associated with the Courthouse area. I'm just gonna, I have one other thing before you chime in Mike, the Courthouse as I recall is the only place where we have a small area plan, I mean there's other plans there's redevelopment area plans but the Courthouse area is the only targeted growth area that has a small area plan, and it takes a lot of time and effort to build those plans so it's not, it's not a quick or cheap undertaking so I'm kind of going back to what Dexter said, we'd have to build those master plans for all these different TGAs, that's a lot of effort and of course kind of going back and I'm circling around, going back to your point Al if I were a developer I'm gonna pick the best parts of the small area to the extent there is a small area plan I'm gonna pick the best area that I can that's most advantageous to me so maybe I don't want to do a four acre community park because that's a place where I'm not gonna be able to put houses or office buildings so again I hear what everybody's saying and yes I have some concerns that ultimately were not gonna get what we hope to get so I'm just trying to deal with the, so there's several puzzle pieces here that we're dealing with as a Planning Commission to inform the Board's actions which is again the overall UD policy, the Comp Plan changes very specific to downtown Stafford it doesn't impact any of the other TGAs and then the rezoning which is still a little bit downstream so I'm just trying to capture what the goal post is for today's work session.

Mr. Bain: Steve can I ask a quick question?

Mr. Apicella: Is it possible, is it possible to say under any one of these subcategories, UD-2 through -5 that if it's a mixed use category that a certain percentage of the floor area must be mixed use of a certain type, so much commercial so much office or whatever, can that be incorporated into the Ordinance to

***Planning Commission Minutes
December 2, 2020***

require the developer to do mixed use or to provide them an option that if they don't want to do it they can pay a fee towards some sort of bank that would allow that money to be used for open space within the small area plan or something like that, is that legally viable?

Mr. English: That wouldn't work because if you got certain areas you just want housing you don't want to mix it all up, I don't think you can do that.

Mr. Bain: That's what I'm asking, could it be done if it's a mixed use category and they only want to put a park can the Ordinance say no you must have ten percent of the floor area be commercial or if it's a, same thing with an office use it must have a certain amount of commercial category, I don't know I'm asking, maybe I should ask Lucian, is that legal to do that and would it help achieve what we're trying to do here in terms of coming up with a mixed use area?

Mr. Zuraf: Mr. Chairman, Mr. Bain, just for clarifying question are you referring to say if a project comes in and it in the Courthouse small area plan it's an area shown as mixed use than in the Comp Plan and their project, you're referring to how a specific project would... *inaudible*... plan?

Mr. Bain: No I'm not limiting it to the Courthouse area, I'm just saying if they want to achieve the density that a UD-5 would allow can the Ordinance then say if you do that you must have a certain percentage of mixed use, commercial or whatever, I'm not sure, Lucian are you, okay let Lucian talk. Sorry, Ms. Lucian.

Ms. Lucian: No problem, well if it's in the Zoning Ordinance it can be enforced the issue is that will arise depend on whether it's easy to enforce so some things are easy to detect, some things are not, so I don't know that I can give a good answer on that but a good example is something that's internal to a building if that's what you're trying to enforce you may not be able to inspect it so, you may not have the mechanisms in place to monitor it is what I'm saying. So it just depends on how it's worded, what you're trying to enforce.

Mr. Bain: Hmm, okay.

Mr. Geouge: Just to clarify so the only subdistrict that wouldn't allow a mix of uses as in residential would be a UD-2. All the other ones would allow for both so that's a potential of incorporating something like that into those other districts.

Mr. Apicella: Again, going back to, I'm trying to paraphrase what Al is saying, again I think he's spring boarding off of comments we've all kind of mentioned which is you've got a targeted growth area, again usually Warrenton Road as the example, no one person owns the entire targeted growth area, how do you get everything you want in that targeted growth area or close to everything you want without one party coming in and getting the benefit of you know the highest residential yield I can get with their single project and everybody else having to fill all the other parts which are maybe not as, I don't want to say not as desirable but not as economically viable for them. I don't know the answer to that question, it's the reality of the circumstance we're in because again no one person is gonna own the entire targeted growth area, are we going to be able to put all those pieces together. Go ahead Mike.

Mr. Zuraf: Yeah, I think the best solution would be a very detailed small area plan that lays out where you want each individual specific use and setting caps as to okay in this area we don't want anymore than 100 residential, you can't have any more than 100 residential units here no more than 50,000 square feet of commercial here, and stick to that plan it is positives and negatives, it sets some controls but then

*Planning Commission Minutes
December 2, 2020*

it creates a very rigid set of rules that you know you got I guess there needs to be some kind of give and take but that I think would be the best thing and as you'd mentioned we don't have the small area plans for the other targeted growth areas that's one of the general recommendations of the Comprehensive Plan and also as you said it's those take a lot of time to prepare, they're you know an effort, they're expensive and so that's why we only have the one right now in the Courthouse area and the overall goal is to pursue other types of small area plans and other targeted growth areas.

Mr. Randall: Mr. Zuraf then to your point, what's the downside of doing that, what's the downside of specifying specifically in the small business area for the Courthouse area what exactly we want in certain areas. The outside areas are going to be residential, the inside area, the middle areas are gonna be commercial, and the downtown areas are gonna be residential mixed with you know businesses, you know what's the downside of making the map to that specificity?

Mr. Zuraf: I guess the downside could be you may scare away some potential investors or developers from pursuing a project if they don't believe that that will meet the market demands or something so, so they, you're losing some flexibility on maybe that some developer may want.

Mr. Randall: Right, as I thought about this that literally was the only downside I could see to making the plan specific enough that we get what we want. And you're right, I think that is some, there is some level of risk associated with making it specific enough that now we are somewhat forcing the developers to build what we want rather than giving them the zoning and letting them go wild based on whatever they want to do. I understand that there's some, like I said, some risk to that but I'm also concerned that if we don't do something like that that we will end up, and remember, we only get one shot at this downtown, we're not gonna rebuild it again, we're not gonna tear it down and rebuild it ten years from now when we realize it was wrong, right but I think in order to get it right, we're gonna have to do some level of that to ensure that we have the flavor of entertainment, the flavor of businesses, the flavor of eateries, the flavor of restaurants that we're looking for in downtown Stafford otherwise we're gonna put a hundred million dollars into this and it's gonna die on the vine and nobody's gonna show up and we're gonna wonder why ten years from now so I'm really, I think it's a risk worth taking, I think we do that, right, and then we see where it goes.

Mr. Bain: If I can, sort of belabor a point let me, let's go back to my developer A and B example. Let's say you have a small area plan. Developer A comes in and says oh yeah, I own this area and you've got that marked on your small area plan as garden apartments, I'll do that. He asks for rezoning because it's not zoned for that right now, he gets that approved. The parcel next door to him is marked for an open space area on the small area plan, the developer comes in and says I want to get that rezoned for high rise apartments and you turn down the zoning request because it doesn't conform to your small area plan, are we at jeopardy legally for saying that that's the reason we're turning down that rezoning request? Can we do that? Anybody?

Mr. Zuraf: You said legally so I was waiting for somebody to chime in but I think if it's, if the plan recommends open space and somebody is against that I think yeah, we should be okay.

Mr. Geouge: It would be an issue of conformance with the Comprehensive Plan.

Mr. Apicella: I've got a couple other questions, under the proposed changes Brian only UD-2 would be allowed to develop single family homes. I checked with Henrico County because I've been down to the Short Pump area and I remember a couple of mixed use developments down there and so I guess my question is, well my point is that they have UD zoning or UD type zoning that allows for on the same

*Planning Commission Minutes
December 2, 2020*

parcel or the same area, single family townhomes and multi family apartments and so I'm wondering wh-, are there reasons we wouldn't want to allow single family in other UD districts or at least one UD district that allows for all housing types?

Mr. Geouge: Well, to clarify the UD-2 would be the only one that would allow single family detached so attached units would be permitted in UD-3 but I suppose it's just a question of the density we're looking for in each of the subdistricts whereas UD-2 is kind of envisioned to be the most spread out where single family detached might be more appropriate.

Mr. Apicella: Right but so I'm going back to UD-5 again which allows several different housing types, town homes, multi family, commercial, mixed use buildings, so if somebody wanted to, obviously you could take a parcel and you could split it up and use several different UD districts if you wanted to do it that way. Of course there are other issues that come with that right Mike because you have other requirements as buffers called transect zones but if you wanted to take one parcel and create a UD-5 district for example you'd be excluded from doing single family homes on that parcel. If you had a 100 acre parcel you wouldn't be able to put single family homes somewhere on that parcel using UD-5 and I'm not saying UD-5 is the right one I'm just using that as an example that excludes single family homes so if you want it, again I've driven down there I've got a couple of examples if you give me a second I can find it so they have Green Gate which has town homes, villas which are single family homes, and condos. West Broad Village which is the one that I'm familiar with near Short Pump and Rockett's Landing. Again they have three different types of housing, single family, town homes, and apartments all under the same area as well as commercial. Why would we not want to have something that's an integrated community like that, when we do it for PTND maybe, but again that's more for say rural parcels I guess or some suburban areas but not in an urban area and I, we shouldn't necessarily exclude single families from urban areas if you can find a parcel that's big enough to do it.

Mr. Geouge: Mr. Chairman?

Mr. Apicella: I'm just throwing it out there.

Mr. Geouge: One of the things I wanted to talk about is so the UD district, especially when you're looking at a large tract, a rezoning is gonna come in to the UD district in general, it's not necessarily going to be a specific rezoning to UD-3 or UD-5, the master plan that they provide with that rezoning is going to show you know if they're looking for different areas, maybe they want a certain area with single family detached, they're gonna show that as UD-2, maybe they want a transition area where they have townhomes and apartments, that's gonna be UD-3, and then a core area of UD-5. That can all be broken out on that master plan similar to the PTND district where you have, they're called transect zones in that district, that each have their cer-, their own particular regulations so it's sort of a similar approach with the UD district.

Mr. Apicella: Right but again I don't have it in front of me but there are requirements to segment the again the transect zones, there are requirements associated with those transect zones that could be inhibitors in my opinion to having this overall parcel that has a bunch of different uses on it and I'll go back to the point where again if I'm a developer and I'm looking at the Warrenton Road TGA, I may only be able to put a couple of parcels together to get what I want, I don't have the whole Warrenton Road TGA area at my disposal and I might want a bunch of different housing types on the parcels that I can put together without necessarily having to meet those transect zone requirements so I'm just trying to find out what are the cons in allowing single family housing in a UD-5? If that's where we decided we wanted to add single family homes, maybe not.

*Planning Commission Minutes
December 2, 2020*

Mr. Zuraf: I think the overall general idea of the UD-5 is that's where your most intense urban core is gonna, would be located and would not be an area where single family densities or uses would be desired.

Mr. Apicella: Okay so that being said would it be clear to a developer looking at the ordinances to know that they could take a parcel and split it up and have multiple different UD districts on that parcel, is that clear?

Mr. Geouge: I believe it is, let me... I'm gonna check the submittal requirements of the Ordinance. If you look under six this is proposed section six, administration A-1 on Attachment 2 it's page 45. It was one of the criteria for the master plan, there is a line there for the identification of each proposed subdistrict so I think that makes it clear that you, this is an overall UD rezoning and provided you have the space for it you could have multiple subdistricts identified in that master plan.

Mr. Apicella: Alright um I've got one other line of questioning going to the Comp Plan because that was also something that needs to be put to a public hearing. So again the Comp Plan indicates that the downtown Stafford would increase the multi family estimate by an additional 1500 units and looking at the redline strikeout my question is has the total number of projected units in the Courthouse area been adjusted accordingly in the draft?

Mr. Zuraf: No it has not.

Mr. Apicella: So we need to make sure we fix that in the version that, the next iteration that we look at and the other piece of it is, so if we're increasing the number of units by 1500 that's gonna impact other pieces of the Courthouse plan, going back to a point that I think Daryl made, that would increase the impact on schools, fire stations, and other infrastructure means, so we need to know what those impacts are associated with that plus up of 1500 units, right. So somehow we need to figure that out before January 12 or 13 and I think not even in the specific Courthouse area there's other parts of the Comp Plan that speak to TGAs and have consolidated numbers, I think there are other parts of the plan that are gonna have to be updated to reflect that plus up, right there are other summary tables and yeah so we need to make those tweaks as well.

Mr. Zuraf: Okay, understood.

Mr. Apicella: Okay so again a lot of information, a lot of discussion, so let's talk about where we, again we have a meeting next week and then our meeting where we would have to decide to put this to a public hearing would be at the January 13 meeting so let's talk about the way forward. What do folks think?

Mr. Harvey: Mr. Chairman, from a practical standpoint the agenda materials for next week's meeting are, really need to be done tomorrow, so we'll have limited opportunity to address all the issues that were raised tonight. More than likely we're gonna have to address sort of the low hanging fruit that we can and bring it back to next week's meeting and the other items that are still outstanding we would bring back to our first meeting in January.

Mr. Apicella: Okay so with that said again we're very constrained here, do folks, based on the conversation today, do folks think we can get to a final product that we could put to a public hearing on January 13?

Mr. McPherson: I thought we approved the public hearing on January 13 but it has to be sometime in February that we actually have the public hearing, so there's a difference.

*Planning Commission Minutes
December 2, 2020*

Mr. Apicella: Right you do have to, so yeah that's right, but I sent out an email today here's the bottom line, once we advertise the public hearing all we can do is make changes that are less restrictive we can't make changes that are more restrictive so you really got to like what goes to the public hearing on January 13, unless you're willing to make it less restrictive. I don't know if I'm making it clear and maybe Lauren can chime in on what the parameters would be once it goes to a public advertisement and what our flexibility is to make changes at that point.

Ms. Lucien: I think you said it well, it's hard to explain it without a specific example but generally that's true, you can only go less restrictive.

Mr. Apicella: Right so if you said, if you said that you were gonna allow a building to be six stories tall and that was put to a public hearing you couldn't change it to five stories you could only change it to seven stories being I guess more generous or less restrictive, maybe that's not the best example but that's the only example I can think of off the top of my head.

Mr. Randall: Mr. Chairman, now the question then if we don't feel like we're gonna be ready and this is, this is quite a large bite of the apple if we don't think we're ready on the 13 what's our alternative? To ask for more time or are there no options at that point?

Mr. Apicella: All we can do is ask for more time or you know make a recommendation either for or against whatever we have put to a public hearing.

Mr. Randall: Right well, I think the scope of the effort is a lot of it's been done, I think we brought up some viable questions that I think needs to be looked at and the staff needs to identify, you know I think to Jeff's point they may not have the full scope of the effort done by our next meeting but I think they can give us some idea of you know we've identified your top six concerns, these four concerns are gonna take more effort and then hear from the staff on the 9th whether or not they think they can get there and present something to us on the 13th you know if on the 13th we still don't feel this is comfortable then I think we make a recommendation to ask for more time. I surely don't want to rush it because we think there's a time frame that is able to be changed by a month or two months, I mean I don't want to take this into the middle of the summer but you know I think one more meeting in January for a public hearing at the end of February may give us that extra meeting to work that out but you know I think if they come back on, they being staff, come back next week and say here's where we are, here are your answers to some of your questions and then we readdress it on the 13th we'll know then if we're ready.

Mr. Apicella: Yeah so just to be clear Bart we don't, we would have to know, we would have to know by the 13th, before the 13th because you have to put something to a public hearing by the 13th in order to meet the timeframe. You couldn't go back, we would need to know what the Board would allow us to do by that point in time, I don't know if I'm making any sense, in order to meet the public hearing requirements.

Mr. Randall: And the only Board meeting is on the 15th, 16th?

Mr. Geouge: 15th.

Mr. Randall: 15th. So maybe we reassess on the 9th and see if at that point in time based on the status report if we feel comfortable enough that we don't need to ask more time or then we have staff ask more time on the 15th.

*Planning Commission Minutes
December 2, 2020*

Mr. Apicella: Yeah so I'm gonna go back to timing, Jeff tell me what's the last opportunity to get something in front of the Board to meet their deadline for their meeting on the 15th?

Mr. Harvey: Mr. Chairman, we're having our agenda discussion for that meeting tomorrow.

Mr. Apicella: Right. So that's kind of where we are and that's why I raised these timeframes are pretty much cast in stone. I'm concerned that you know there are some small things that I think we could tweak, there are some bigger policy issues I'm not sure we could get done in the next week or even between the December 9th meeting and the January 13th meeting to be able to incorporate those in time to have the proper discussion and to make the necessary tweaks to put it to a public hearing to meet the deadline.

Mr. English: I think we should just go ahead and ask for more time.

Mr. Randall: Yeah, based on that, based on what Mr. Harvey said I agree with Daryl that it may just be easier tomorrow to set it on the agenda and ask for more time you know and see what they would be willing to do tomorrow you know and then if we don't get the extra time if they're gonna hold us to that then at least we know what we're dealing with.

Ms. Lucien: Just a reminder that there's a contractual deadline that the Board is also bound by so even if you do ask them for more time I find it unlikely that they would do it. So you might want to consider that when you're thinking about asking.

Mr. McPherson: What's the deadline?

Mr. Apicella: We still have to do the rezoning, that's not even in front of us right so that also has to be done by the deadline.

Mr. Randall: And what's that contractual deadline?

Mr. Geouge: I have it as July 9th.

Ms. Lucien: July 9th.

Mr. McPherson: It's further back than February.

Mr. Apicella: I personally think we should ask for another 45 days to get us to the end of March.

Mr. Randall: I think it doesn't hurt to ask. I think we should put it in front of them and ask that question.

Ms. Lucien: You can ask I just wanted everyone to be aware that there is that other deadline.

Mr. Apicella: Right but I get in asking, again I think it's important to say that we still don't have the rezoning proposal in front of us, it's not gonna be in front of us by the 9th so the earliest we would see it is for the first time in January at best, I'm not even sure we'd get it by then so I think it's more doable if they give us more time and we try to do the rezoning also in concert as we requested previously to put all the three pieces together so again what's the Commission's will?

Mr. McPherson: I think we should definitely ask for more time than when staff asked them tomorrow when you discuss the agenda, let's clarify what what we've talked about tonight and all the issues it

*Planning Commission Minutes
December 2, 2020*

brought up made this just about as important as the A-1, I won't call it downzoning, the A-1 zoning changes that we've been talking about, the cluster ordinance changes, this is now a major thing, this is not just a small item like we have in some of our Planning Commission meetings. We need more time to do the right actions and the right work. I was just asking if they bring it up in tomorrow's agenda discussion.

Mr. Apicella: So again if we ask for more time, if we ask for 45 days or close to it, what would that, from the deadline again to the end of March, that doesn't mean we have to take all that time it just gives us the flexibility to have more time to noodle this and make sure we get it right. The point is this is not just a UD change for downtown Stafford it's a UD change across the Board, to me that's what complicates this more than anything else. It's all the other pieces that go along with downtown Stafford. So will make a motion then to-

Mr. Randall: Steven I'll make a motion that we advise staff to ask the Board for 45 extra days on our deadline to address the downtown Stafford rezoning and Comp Plan changes.

Mr. McPherson: Alright, second.

Mr. Apicella: Okay any further comment Mr. Randall?

Mr. Randall: No.

Mr. Apicella: I don't, Fillmore did you make did you do the second?

Mr. McPherson: Yeah that was me, no additional comments.

Mr. Apicella: Okay, anybody else. Okay just do a quick roll call vote. Mr. Bain on asking for additional time how do you vote?

Mr. Bain: Yes.

Mr. Apicella: Ms. Barnes?

Ms. Barnes: Yes.

Mr. Apicella: Mr. Cummings?

Mr. Cummings: Yes.

Mr. Apicella: Mr. English?

Mr. English: Yes.

Mr. Apicella: Mr. McPherson?

Mr. McPherson: Yes.

Mr. Apicella: Mr. Randall?

*Planning Commission Minutes
December 2, 2020*

Mr. Randall: Yes.

Mr. Apicella: Mr. Apicella votes aye. Staff I would just ask, we brought up a lot of points I certainly haven't been taking great notes, shame on me but if you guys can characterize the issues that we've raised maybe some provided to us on or before the December 9th meeting so we know what we're looking at if that's possible. I know you're not gonna have answers to all those but if we could just get kind of a catalog of the issues that were raised, is that doable?

Mr. Harvey: Yes Mr. Chairman in our memo to the Commission for the 9th we'll have an outline of the outstanding issues as staff understands it and any interest that we could provide at that point in time.

Mr. Apicella: Great.

Mr. Bain: Can we submit questions or comments between now and the 9th regardless of whether we get the extension?

Mr. Apicella: I don't see why not. Is that okay Jeff?

Mr. Harvey: Yes, staff will take any questions or comments.

Mr. Bain: Okay, thanks.

Mr. Apicella: Okay I think we've talked this one to death, I appreciate everybody's indulgence. It says other items I don't think there are any other items, Brian, Kathy, Jeff, Mike, is there anything else that we need to talk about tonight?

Mr. Geouge: No Mr. Chairman

Mr. Apicella: Okay, so unless anyone else has anything else to offer, I'm going to call the meeting adjourned.

OTHER ITEMS

ADJOURNMENT

With no further business to discuss, the meeting was adjourned at 7:06 PM.