

**STAFFORD COUNTY PLANNING COMMISSION**

**April 11, 2018**

The meeting of the Stafford County Planning Commission of Wednesday, April 11, 2018, was called to order at 6:30 p.m. by Chairman Crystal Vanuch in the Board of Supervisors Chambers of the George L. Gordon, Jr., Government Center.

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

**MEMBERS ABSENT:** None

**STAFF PRESENT:** Jeff Harvey, Daniel Wisniewski, Stacie Stinnette, Mike Zuraf, Brian Geouge, Andrea Hornung

**DECLARATIONS OF DISQUALIFICATION**

Ms. Vanuch: Now we will move on to any declarations of disclosure or disqualification; would anyone like to mention any? Okay, moving on. Now we're going to move onto the Public Hearings portion... or Public Presentations portion of tonight's meeting. This is where if you're here tonight on any item other than one of the public hearings, and since we do have a bit of a crowd, the public hearings tonight are on the road name change for Big Spring Lane and the Conditional use Permit for Patriot's Crossing Car Wash. So, if you're here to speak about anything other than those two items, now would be the time that you can come down to the podium. You'll have 3 minutes to address the Commission. When the green light comes on, you can start talking; please state your name, address, and the district that you reside. When the yellow light starts blinking, you have 1 minute left. And when the red light comes on, please end your comments. So, at this time, would anyone like to come down? Okay, remember those directions for later then. Alright, now, since there's no public presentation, we'll move onto the Public Hearings portion of tonight's meeting. And this is going to be on the proposed Ordinance O18-04 which is the Big Spring Lane name change. And for this we recognize staff, Ms. Andrea Hornung. Thank you.

**PUBLIC PRESENTATIONS**

**PUBLIC HEARINGS**

1. Index of Official Road Names - Proposed Ordinance O18-04 would amend the Stafford County Addressing Ordinance by amending the Index of Official Road Names to rename a road as follows:

<u>Location</u>	<u>Current Road Name</u>	<u>New Road Name</u>
Big Spring Lane from the intersection with the public segment of Big Spring Lane to the terminus of the private segment of Big Spring Lane	Big Spring Lane	Kelvic Way

**(Time Limit: April 27, 2018) (History: March 14, 2018 Public Hearing Continued to April 11, 2018)**

Ms. Hornung: Thank you Madam Chairman, members of the Commission. What I'd like to do is give you just a brief update of how we got here. Last year, there was a site plan for a commercial piece of

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property, and I will get to... sorry, excuse me. This will be the Index of Official Road Names for Big Spring Lane and the Ordinance that we have is proposed Ordinance O18-04. This shows the parcels in question. The two parcels here, B and C, are the ones that are owned by Kelvic Construction and they had a site plan under review last year and eventually approved. And part of the requirements of approval is that this segment of Big Spring Lane in green, which is the private easement that serves all the parcels along this terminating at 38-100 at the top, at the northern part of this graphic, that that should be named because once you have more than one structure addressed off of a road or an easement, it is recommended that the road be named so that e911 and Fire and Rescue can adequately find the structures that are addressed off this road. And since the lower part, the yellow, is Big Spring Lane that is the public right-of-way that occurred during the development of Tridex which is toward the bottom of this graphic at the end of that cul-de-sac. And I have another graphic -- can you please forward? The graphic to the left shows several yellow dotted lines. Those show several easements. At the time when the site plan was approved, the easement to the rear of the property, going from here, was presumed to be the access, which was the reason for allowing the owner to name the road. As we got to final approval and signature of the plan, realized that this is the segment over here to the left which is the former Big Spring Lane that ends at the parcel 38-100. So, with that, since the plan was approved and to not hold up the permits and the approv... further approvals of the project, staff decided that the, um, it would be allowed to have both names on the sign at the terminus, the intersection down here of the public property and the private property, so that neither occupants along that road who have an address would be impacted by 911 or mail service. That's the reason for... excuse me... the signage that you see that shows Kelvic Lane and Big Spring. Prior to that, there was some signage that pointed in that direction for Big Spring Lane for the two... for the address of 175 because it wasn't clear since Tridex has 100 and 200 level addresses. So, the addressing in that area was very confusing and staff was trying to assist in getting that resolved at the time until we started this public hearing process and went through the process to officially name the easement of Kelvic. On April... I'm sorry, March 14<sup>th</sup>, the public hearing ensued where staff gave the information and the update of what transpired to get us here. And then the Commission decided to leave this public hearing open because we did have two property owners speak; there was information in the packet of all the property owners along that segment receiving information requesting a name change for that segment, where out of the 10 property owners, some being the same, two of them did not respond. So, staff presented the top 3 names to the Community and Economic Development Committee of the Board in which their recommendation as Kelvic Lane, which is why the Ordinance specifies Kelvic Lane. I'm sorry, Kelvic Way. So, before the Planning Commission decided to keep the public hearing open, they requested that there be additional information coming... requested of the Historic Commission because on that particular day staff was alerted... received information that documented some possible historic activity on one of the parcels. That information was provided and then also the staff report and all the supporting documents were submitted to the Historic Commission that met last week. And the information that was provided by the Historic Commission also added information about the Mineral Springs being an area of possible significance because of a well and, uh, some other information -- I wanted to read that to you, what they noted. Since they discussed it on April 5<sup>th</sup>, they suggested Little Spring Lane, Road, or Way. Also, one of the members researched the historical map prepared by Eugene Shield, which is also in your staff report, and found the area was the historically contained Mineral Spring, and there was a reference to Mineral Spring Hill along Jeff Davis Highway, which is also Route 1. So the suggestion was made that maybe Mineral Spring or Mineral Springs Road or Lane or Way could be possible road names. And then there are no existing street names that appear to conflict with this. So, we don't have anything in our address database that would be confusing for Mineral Spring or Mineral Springs Road/Lane/Way, whatever the suffix would be. Also, there was a list of items in the staff report that also clarified the process for naming streets. And with the guidelines being that they're assigned to all public and private vehicular accesses serving typically more than one principal building. On non-residential properties, they are... several of the buildings are addressed so that it's clarified which building might need the

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services or if they need addressing services... um, sorry, postal services. Also, when it's residential that roads will be named when it serves more than two residential lots. In this case, we have one residential and one commercial. Family surnames may be used, also in the Cambridge dictionary; the names could come out of the Cambridge dictionary. Any modification could be approved by the Planning Department, the Director of the Planning. And changes in road names for street, road, avenue, boulevard, which is a suffix, do not have to follow the public hearing process but could be subject to administrative. Now, if a citizen is aggrieved by the process, they can aggrieve this to the County Administrator and the appeal should be in writing and state the nature. Also, there is a process to name a street which is similar to the process staff used when contacting adjacent property owners is to send out a request for the top 3 names and then it follows the public hearing process. And it could take up to 6 months and typically staff requests that 51% of the property owner or homeowners along that road agree on a name so that the top name can be provided to the Board and the Planning Commission. The graphics that I provided, also, on this particular graphic, the other graphic shows that this is a... actually a 2018 aerial that we received -- we have it in our ArcGIS -- and from this term... the beginning of the intersection of Big Spring Lane public and the Big Spring Lane private, which is noted as Kelvic Way, it's paved all the way up to and just about beyond the driveway into parcels 102C and B. The terminus of this parcel right here, where I'm drawing the red line, that is the length that is about 1353.65 feet in length. And then the remainder of this road will go... that goes up to 38-100, which is in blue on the left graphic, that's approximately 536.88 linear feet. So, the total length is approximately 1,890 linear feet. The paved area of this road does not extend all the way to the Kelvic construction property but just beyond the driveway. Can you forward it please? I think I have some more. A few other requests from the Planning Commission were; are there any streets in the County that might have multiple names or multiple streets having the same name. And in the top graphic, in the left, this one is the bridge actually over 95, but about midway through to the left you have Ramoth Church Road and to the right you have American Legion Road. So that is one place that's near the airport... or that's the shortest connection to the airport versus taking the Centreport Parkway exit that the road changes midway. To the top right, this is Route 1 in which you have Jefferson Davis Highway and then, after Cranes Corner and Enon Road you have... it changes to Cambridge Street going south on Route 1 toward Falmouth. At the bottom left we have Kellogg Mill and actually beyond Kellogg Mill is Woodcutters Road that goes to Colonial Forge. Then at Woodbine, I believe, Woodbine is to the right and then continuing straight is Accokeek Furnace Road. Which this part of Accokeek Furnace a portion of that is private and a portion of that is public. To the right we have another instance that is a bit different than the rest; you have a street segment that changes names frequently. So you have Morton Road here in blue and then Morton Road continues at an intersection, then prior to that segment which is 624, that's Primmer House Road and down at the bottom, this is Leeland. After Morton, then it branches off to Forbes Street again to the left and Forbes Street straighter to the right. Then it makes another right turn and Forbes goes all the way up to meet up with Route 1 or Cambridge Street. Then at the left portion, this is Layhill Road. So you can see in all these segments in the bottom how many times this particular road segment changes name, stays the same, or the same name changes at several intersections. Can you please forward that? And this is just one of the slides from the last meeting that showed some instances of possible Civil War activity on the parcel that terminates... I mean at the parcel that's end of the terminus of the easement on this parcel. And I think I updated you on everything of where we are at till we got here from the staff report and the Historic Commission and if you have any questions, I would be to answer.

Ms. Vanuch: Thank you Ms. Hornung. Does anybody on the Commission have any questions before we move on?

Mr. English: Ms. Hornung I have a question or two.

Ms. Hornung: Yes sir.

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Mr. English: With those... you showed us those different roads that are changing and all that stuff. Fire and Rescue has no issues with that? The post office has no issues with that correct?

Ms. Hornung: No what happens is if roads are... road names have been changed, the ordinance is forwarded to the, not only Fire and Rescue because Andrew Milliken, who is the Fire Marshall is very involved in when we're assigning addresses and changing road names. But that is also sent to the post office and we have... USPS and we have emails from the local USPS off of Route 1 who is a connection, a contact in order to make sure that all of the Fredericksburg or Stafford post offices receive the information as well as the Richmond central office. So staff has tried to be diligent in contacting USPS whenever we have an address issue in the county to correct it, so that nobody is lacking services from the County.

Mr. English: So to your knowledge, to your knowledge right now there hasn't been any issues with us doing that.

Ms. Hornung: No

Mr. English: Okay.

Ms. Hornung: No, no. All these streets that I... the graphics...

Mr. English: That you pointed out...

Ms. Hornung: ... that I showed you have been in existence for quite a few years.

Mr. English: Understood. Okay. Thank you.

Ms. Hornung: Yes.

Ms. Vanuch: Any other questions on the Commission? Mr. Randall.

Mr. Randall: Yes I have a couple of questions. This road that you particularly were referencing that has several names to it, when was the last action taken on those names? How long ago was it that we made that determination for that road?

Ms. Hornung: It might have been five to eight years ago. I know it happened during my tenure here and I have been here since '06. And I think it was before there was some staff changes in the addressing so that was probably about six to eight years ago. I don't recall exactly.

Mr. Harvey: Ms. Hornung, I believe it may have been longer than that because that road was realigned with the construction of the Leeland Station neighborhood. I believe it was in the early 2000s, so it's been more than a decade since that configuration has existed.

Mr. Randall: Is this what you would prefer as part of the count to do this with roads? Is this something that we are okay with if you had your preference?

Ms. Hornung: My preference?

Mr. Randall: Yes.

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Ms. Hornung: Well, what we do is we try to follow the ordinance and staff who are involved in assigning addresses are working very diligently not only with GIS so that there aren't mistakes made, we try to correct any other mistakes that we find. And also working with the Fire Marshall because he is our contact with 911 and all the fire and emergency staff, so that we don't have any confusion with road names and addresses, and if we find any that conflict that they are not in the same... the correct linear designation for numbering, we try to correct those so that there's less or no confusion as best as we can. We try to have roads that are named that don't confuse with others in existence. We can't control what happens in other localities, but when we name roads we try to make sure that even the syllables, the way they sound, even if they are spelt differently, there won't be any confusion if somebody is in need of services and they cannot pronounce it properly, that emergency 911 will be able to find the location of that road. So we try to make sure we don't duplicate any. In the past, some subdivisions had the same road name that might have been court, way or lane. But in the last, probably, four years we have tried to get away from that just to insure that there's no confusion.

Mr. Randall: Okay, thank you. Then I have one further question. If you go back to one of your slides, you were talking about the original easement, it was in the beginning of your presentation. It's a couple of them.

Ms. Hornung: Can you go back one more please? Oh maybe fo...here it is.

Mr. Randall: There it is. To the... I am looking at the... on the left you said if I remember... I hear you right that when the official... when the first plan was brought to staff that the assumption was that the second easement over to the right was what you thought you could get an access into that location?

Ms. Hornung: Yes, what happened... the people who, in the department, who assign addresses are different from people who actually review the plans.

Mr. Randall: Okay.

Ms. Hornung: And so when working with Fire and Rescue it was noted that the road has to change its name because you have multiple addresses on them. And when staff had looked at it and the easements, it was presumed that maybe the road was here to the rear. That was the initial...

Mr. Randall: And that was what we expected to be Kelvic Way?

Ms. Hornung: Right, that was the initial, but then after looking further and having additional discussions staff was incorrect in that presumption and that the road or segment in question was this one in blue that accessed all these parcels and terminating at 38-100.

Mr. Randall: Okay, but right now we are talking about not terminating at 38-100, terminating it at 102 Bravo, is that correct?

Ms. Hornung: Yes.

Mr. Randall: Okay, alright. Thank you.

Ms. Vanuch: Mr. Bain.

Mr. Bain: Yes, two more questions. If you could put that graphic back up real quick. I don't recall but only the parcels along the private lane except for 38-100, are they zoned commercial?

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Ms. Hornung: A majority of them are zoned M-1 Industrial.

Mr. Bain: Industrial.

Ms. Hornung: But some of the parcels to the east, there is one parcel that is zoned A-1 Agricultural and I think if we go back one slide, I think it has all the zoning designations... or two slides. No it's not on here, but 103-A, I believe is the A-1 parcel and everything along from here on down is all industrial.

Mr. Bain: Industrial, alright. And then my other question, the private road, right now, if we decide on a name tonight or if a name is ultimately decided on, it still remains private. Is that right?

Ms. Hornung: Correct.

Mr. Bain: Okay.

Ms. Hornung: This whole segment is private.

Mr. Bain: Would it still...

Ms. Hornung: The easement that crosses all the properties, about fifteen feet on each side.

Mr. Bain: And so who is responsible for maintain that road? Can you clarify that?

Ms. Hornung: All the property owners along that easement.

Mr. Bain: Okay they share that responsibility?

Ms. Hornung: Yes, because the road... down here, this part of the road is on 102, and then this part is on 102-E. But then if you go over here, to the eastern part of it, that 103-A has all this length.

Mr. Bain: Right.

Ms. Hornung: All the way up here, that's on their land. So that would be their responsibility.

Mr. Bain: Alright. Thank you.

Ms. Vanuch: Any other questions from the Commission? Okay, so seeing no question, we will move to the public hearing portion of tonight's meeting. And this will be the public hearing for the name change for Big Spring Lane. So at this time if you would like to come down and speak, you will have three minutes. Please state your name, address and the district that you reside. And when the yellow light comes on you will have one minute left and then when the red light comes on that will be the end of your comment period. So come on down.

Mr. Jenkins: Good evening, my name is Mark Jenkins and I represent Kelvic Construction. I submitted a letter which I hope was circulated to all of you and of course I will repeat myself. Let me first hopefully at lease emphasize or clarify a few things. All of the lots, 102 through 102-F, which is all in the line that front on this particular, what we are calling the private segment, all are zoned M-1. They were rezoned M-1 about ten years ago, I believe. Most of the other lots in the area, not all of them are also as you go back and forth on Big Spring, the public street, are also zoned M-1, with a couple of exceptions. Also the site plan that Kelvic submitted did not show that it was going to attempt to use any

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easement that is on the Tridex property. It always showed the easement where it is not, the private segment. It could be a little bit of confusion because there was, and I am familiar with it because I was involved in the sale to Tridex some years ago, there was a possible alternative shown on the Tridex property on some documents, but that was never pursued and it's never been built. It's a very tough area, it's actually got a lot of grade problems and would be very difficult to do anything there and Tridex would have to participate in it. And so that was never part of the site plan according to Mr. Zarn, who is the principal of Kelvic. So, I think then what may be now in plain site that we have had a chance to look at this, is that there is really a solution here and I think the main concern appears to be that Ms. Williamson, who owns the property to the north, perhaps wants a different and we can understand different preferences. As I... in my letter I attached an aerial that I got from the GIS site from Stafford and use the pictometry to show how her road is laid out on her property. And so if we take the examples of using different names in different segments, there is obviously precedent in the county and in response to the questions it seems to pass muster. But it seems to me that in this particular case it is even a more persuasive way to resolve this preferences... these preferences given the way it's laid out on Ms. Williamson's property. Because if you enter the property you soon take a hard right so it's really close to a very close analogy to an intersection, it's obviously not a true intersection, because it's a private easement but it would not be confusing to see that the name changes because you are taking a hard right. So all along it's only been what's the private segment property understood with is to her property line that we request the Kelvic name for. She would... I believe and looking at the ordinance closely, has naming opportunities, now or later for what is on her property and I think it is perfectly logical and I think reconciles everything. So I appreciate it, sorry. Thank you.

Mr. Hicks: Dan Hicks, Rock Hill district. I am here to support the naming of the subject road to either Williamson Way, like we talked about last time or Mineral Springs Road or Lane. Mineral Springs Lane, sounds... it sings. I like the way that sounds. And it's unbiased, it's neutrality, it doesn't recognize one way or the other except it kind of looks back and acknowledges some historical fact there. I would like to again Mineral Spring Lane is... sounds acceptable, it's pretty good. I would like to make a couple comments about the examples on the multiple roads. Those other examples that were shown actually delineate an action. Either it's either to the east or the west of 95 or some intersection from intersection to intersection. So there is a delineation point. But with this case, this road here, there is no... it's one constant road, now Kelvic is added a structure down there that is basically their address and their access to their structure, which is understand... but it comes off of this access point or this access easement. Now it seems to me that the mistake was done early on when the application was first applied for and I don't understand is why during the application process that road that already existed that was part of the Williamson's address wasn't used for the permit. Regardless of whether the access to the building construction site is irreverent, it just doesn't make any sense. So you... there was a road there, it had a name on it, they added the structure number and they should have gone with it. So again, I would like to emphasize that as a resident of Stafford County, I don't... I oppose any organization or any business coming into the county and renaming the roads to benefit their company. Now I could debate this with anybody that wants to debate it but an address with a company's name is an attribute that is positive. And it show a... hey buy us. Now all these other areas that are coming in, they may become construction, maybe some business that comes in there and they are going to have to adapt or use that name that comes... is decided upon either tonight or whatever later date. So if they end up with Kelvic Lane, all these other businesses are also going to have to have an address that reflects Kelvic Constructions and instead of going with Mineral Springs or Williamson Lane, which is neutral it's something to consider and I hope the Commissioners consider that and even though this might be a minor subject, I think it is important. I think we need to put our foot in the sand now and say, you know Stafford County is ran by Commissions and Board of Supervisors not individuals coming in and say, wait I will go to the post office and I will change my address. Thank you for your time. I appreciate it. Thanks.

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Ms. Vanuch: Thank you.

Ms. Crawford: Hi, my name is Angilita Crawford and I am a Virginia State resident. I am here on behalf of Margareta Williamson and I wanted to state that as last time, Andrea Hornung stated the staff made a mistake and wanted to appease both property owners and deciding to name the roads. It's always to ask for forgiveness then ask for permission later, is something that I have always heard used with working for county government and I have also volunteered with Fauquier Fire and Rescue. In this case it would be nice if taxpayer dollars were stopped being wasted and it was corrected and so being diligent in 911 and Fire Marshall in asking that everything be done correctly, that this confusion be cleared up and it be entirely named Mineral Springs so that this control... this situation is controlled correctly and policy and procedure be followed like it should have been done in the first place. Like maybe somebody could have done a site visit and been out there to see that they occupied this 56 Big Spring Lane and operated Kelvic out of that home that existed on Big Spring before they were building their facility there. And they were turning everything in to Stafford County. They have not graveled the entire way to her gate as that was misinformed last time at the meeting. Again I don't think somebody from there has been out to see all that has been entirely done. So I just would like something neutral be proposed for the entire road and not confused anyone with fire and EMS and it not be granted because she has worked so hard to be here and to serve on the Architectural Review Board, to save a portion of the Stafford County Courthouse from destruction and served on the Historical Fredericksburg Foundation and put so much time in here since 1963. Thank you so much.

Ms. Vanuch: Thank you so much Ms. Crawford.

Ms. Williamson: I am Margareta Williamson, I am a historian by inclination and education. The gravel road I am trying to save is one lane wide, one car wagon ride and its only gravel. I am trying to keep the historic based... it's been chopped down to about a half a mile up to my gate. However the road continues on past my house down past my old barn and takes a left toward Accokeek Creek. The remainder has now been paved. The one question we have to ask is why according to historian and author Jerrilynn Eby were such elaborate terraces made on my hills, what crops were raised and to whom delivered. Questions as yet unanswered. It is vital to retain parts of our past if for no other reason than to know where we have lived, how we have lived. I have also found Civil War artifacts in fields and flower beds showing that the Yankee Army moved over these hills on their way to the Courthouse. My mailbox is one mile from my house on abandoned US 1. Our addresses have been in conjunction with Eskimo Hill and since 1994, Big Spring Lane. Mr. Zarn's behavior regarding the post office and Google maps have been deeply upsetting and came to my attention only within the past month. No one from the post office notified me of a street name change nor acknowledged the existence of my old house. I did tell Mr. Zarn a month ago I was not interested in moving by box to his site. Just a few days ago the suggestion was made for the name Mineral Springs Hill Lane based on a colonial map reference. Since this is historic I will add it to my previous suggestions. Please do not change the name of an 18<sup>th</sup> century lane to non-historic Kelvic. Thank you.

Ms. Vanuch: Thank you Ms. Williamson. Anyone else?

Mr. Crawford: My name is Darwin Crawford. I am also a Virginia resident and help to take care of Ms. Williamson. I am here to say that she has been here since 1963. We live in an transient area, Stafford County has lots of military. She has been here since 1963, been a taxpayer to support this county and here the county is going to try to do something for somebody else to benefit a business. I managed a business here in the county for a couple years and it's sad that we... the county yes, we all have to grow. We need tax dollars to be able to build the buildings, to represent, for you all to have a place represent the residents of the county. I feel like big business is what's taking over and history is what's now being

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tried to be forgotten about. Whether its Big Spring or Mineral, I feel like Kelvic came in here with their money and that's what the county is looking at. And people in the office of the county are not looking her and what has been there for how many years it's been there. All they are doing is considering money and Kelvic and what they represent. And that's what's wrong with us now, we are just looking at business and not looking at the little people who's made the county and the business to be able to thrive. Thank you.

Ms. Vanuch: Thank you so much Mr. Crawford. Anyone else?

Mr. Zarn: Thank you Madam Commissioner. I am Robert Zarn, I am the owner of Kelvic Construction and the owner of RDK Holdings which owned the property. I would like to express my compassion for Ms. Williams time here as a resident and certainly understand how she feels. And there has been some notes and letters from my attorney looking at some of the historical information that was presented. As far as Big Spring goes with the lack of historical value in that name itself and with Mineral Springs not being located near these tracts necessarily. I think that I would like to propose that given this was approve, I didn't realize the process in what naming goes. I followed all the rules, I submitted my plan. I was told the road had to be named and to select a couple of names. I did so, it was approved. I didn't go lobby anybody, I didn't try to pay anybody off, it was approved. We continued with that. Once the error was discovered and we were already several links down the road with this, you know I didn't have any control over that. So right now we have so many things in place with up actually being there now, with marketing and getting everybody here, to find our location loan, GIS mapping, utilities, everything with that name involved, it would be very difficult to make that change. So I would propose that I would like to do whatever I can and assist the Planning and Zoning Commission and Ms. Williams to create that intersection and create whatever name she would like. I will put the sign up, I will make the intersection clear, I will do whatever I need to do. That section of road that is to be maintained through the industrial portion, the M-1 industrial area, I would exempt her from any cost sharing of maintenance on that segment of road for ever, for as long as she resides. I am not here to be a bad guy, I am here to be a good neighbor. Before any of this came up, I went down and introduced myself to her, offered to fix any potholes, push snow for her, receive any kind of packages, help her in anyway, if trees fall. I am here to be a good neighbor. I am here to be a positive influence here in Stafford County and not to cause this kind of strife. So I am sorry for whatever portion I may have been part of.

Ms. Vanuch: Thank you. Anyone else?

Ms. Knight: Jo Knight, I certainly welcome business in our community and I have very sentimental feelings about thinking of this as Mineral Springs. I truly would like for the business segment to work with the local and local history. You know all my like I have known about the well at the lower end of Eskimo Hill, that provided water for 24 Hour Diner and all sorts of business at that top and it always... the well water stayed to the top. That it's known for that water right there. I think that area is so known for its springs, the strong springs and to keep that seems important to me with our history. And I would love to see us work with the developer, but then on the other hand I think if he could amend his documents and make them for Mineral Springs we would all feel really good about it. I know I would. We have to suffer some costs, we do that in all phases of this development end. But it is, I think, important to think of it as Mineral Springs. Thank you.

Ms. Vanuch: Thank you Ms. Knight. Would anyone else like to come down and talk? Okay seeing no one come forward, I will close the public hearing and bring it back to the Commission. Does anyone on the Commission have any questions for staff at this point? Mr. English.

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Mr. English: The question would be if... well. If we would decide to work with the developer, the business and helping him change the name, would the County be able to help him with the cost to do that? Or is that not allowed? That's the question. In other words if we work with the developer and he said okay the County would go half and he would change it, is that possible if we could do that? That takes some cost off of him because it looks like to me it was an honest mistake on our part, we as the County part. And I don't feel, like you say, I know you can't for forgiveness and all this stuff but I feel like maybe if the County would help him in lieu of changing these names to make it right, to make it right. Is that possible Dan?

Mr. Wisniewski: Mr. English, I am aware of any authority in the State Code or in the County Code unfortunately to be able to assist the Kelvic Construction Company in that kind of way. Typically the local governments are expressly limited to the authorities granted. So we are working within strict confines on something like that.

Mr. English: Okay, thank you.

Ms. Vanuch: Any other questions on the Commission? That was it. I have one question for you Ms. Hornung. It was brought up by one of the members in the public hearing. And I just wanted to ask it because they asked this in their comments. Why wasn't the name Big Spring Lane used when they submitted their original application? Why did we say, because it already had a name. So why did we than say oh you need to come up with a name? Do we know?

Ms. Hornung: Well it was Big Spring Lane on the plan, but then it was recommended that it would have to change the name because you already had one public road that was Big Spring and then you had this segment that was Big Spring. So it's something that should have been done a while ago and this was the opportunity to change the name.

Ms. Vanuch: Okay.

Ms. Hornung: And that was the recommendation to have that segment name be changed.

Ms. Vanuch: Okay, I just wanted to make sure that we got clarity because that was one of the questions. Go ahead Mr. English.

Mr. English: Also there was nothing, Mineral Springs keeps coming up and Ms. Knight said that, was that even in the realm of names that you know of?

Ms. Hornung: Not at that time, but that was... I did look that up with a number of several other road names schemes and that is not in our current database of road names.

Mr. English: Alright, thank you.

Ms. Vanuch: Okay, thank you. Alright, no other questions? Mr. McPherson, this is in your district.

Mr. McPherson: Yes, thank you Madam Chair. So regarding the Board of Supervisors Resolution R17-320, referencing an amendment to the Zoning Ordinance, index of official road names, I move that the Planning Commission recommend to the Board of Supervisors that the private portion of Big Spring Lane as it is known now be renamed as follows. The part of the private road between its intersection with public county road Big Spring Lane to the end of the paved portion, should be named Kelvic Way.

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The remaining length of the private road between the end of the paved portion and the terminus of the private road should be named Mineral Spring Lane. Thank you.

Mr. Boswell: Second

Ms. Vanuch: Okay, so we have a motion by Mr. McPherson and second by Mr. Boswell. Mr. McPherson would you like to comment?

Mr. McPherson: Yes I would just briefly. I did speak to both Ms. Williamson and Mr. Zarn of Kelvic Construction. I understand that this is not a solution that everybody might be happy with but I do think that it does take into account the historical nature at the end of the property as well the effort that Mr. Zarn has put into his business. So, I ask that this motion be approved. Thank you.

Ms. Vanuch: Thank you. Mr. Boswell? Okay. So, any other discussion from anyone else? Mr. Randall.

Mr. Randall: Yes I have a couple of little things. You know I hate to perpetuate a mistake, I hate to perpetuate something that we have done wrong and we continue to move that down the road. We made a mistake, we made a mistake from the beginning. I think it was bad timing to decide that one person, who is going to build on that had the opportunity to name that road. I don't know if there is any other input taken. It seemed like the only person who lived on the road was the one who drove that decision. If I was to have all the other businesses who will eventually be on that road have the chance to decide what name they wanted to make the road, I am sure they wouldn't all agree that it was going to be Kelvic Way. They would probably all want that road named after their own business. And so I have... I am going to have to say no to the motion because I think we need to decide on what that name is going to be for the whole road. If there was only one person on that road and that road was going to be that... their road as we have throughout the County, then you name that road and that road is going to be that name because it's only one person that's going to be using that road. I think to say otherwise would be disadvantageous to those who may want to be on that road later. To realize that that road has been named after their neighbor for no other reason that they were the first one there. And so to that end I am going to have to say no.

Ms. Vanuch: Thank you Mr. Randall. Anyone else? Okay, with no other discussion we can go ahead and vote for the motion that Mr. McPherson said and I can't repeat it all. Okay the motion passes 5-2 (Mr. Randall and Mr. Bain opposed). And that's it. Now we are moving on to item number 2, which is the Conditional Use Permit for Patriots Crossing Car Wash. For this we recognize Mr. Brian Geouge.

2. CUP17152112; Conditional Use Permit - Patriot's Crossing Car Wash - A request for a Conditional Use Permit (CUP) to allow a car wash within the HC, Highway Corridor Overlay Zoning District on an approximately 1.53-acre portion of Tax Map Parcel No. 20-12 (Property). The Property is zoned B-2, Urban Commercial Zoning District, and is located on the south side of Garrisonville Road near its intersection with English Road, within the Garrisonville Election District. **(Time Limit: July 20, 2018)**

Mr. Geouge: Good evening Madam Chairman, members of the Commission. I'm Brian Geouge with Planning and Zoning presenting the Patriot's Crossing Car Wash application. Next slide please. The request is for a conditional use permit to allow a car wash. This is in the B-2, urban commercial zoning district and the HC Highway Corridor Overlay District, or HCOD. The property is a 1.53 acre portion of parcel 20-12. The applicant is Don Hart. The agent is Sherman Patrick with Compton & Duling, however Jason Hickman is here tonight representing the applicant. This is in the Garrisonville district.

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The site is located on the south side of Garrisonville Road near its intersection with English Road. The CUP area shown in red applies to a portion of parcel 20-12. Parcel 20-12 consists of 24 acres and is directly adjacent to North Stafford High School. Other surrounding uses include the PD-1 zoned, Park Ridge neighborhood and Park Ridge Elementary School to the east. Residential development, R-1 zoned to the north-west and B-3 and A-1 undeveloped property to the north. Next slide please. Comprehensive Plan designates this property within the suburban land use designation and commercial corridor. Commercial corridors are intended to encourage commercial activities that have adequate access to adequate transportation facilities to accommodate the uses. A large portion of the site is also located within the resource protection designation shown in blue. I know it's sort of overlapped by the commercial corridor, but the resource protection designation extends up. Next slide please. Parcel 12-20 was rezoned to B-2 in 2012 with proffers. In 2017 a proffer amendment was approved which replaced a planned recreational facility on the site with other uses. The Generalized Development Plan associated with the proffer amendment is shown here. Uses proposed include several multi-tenant buildings, I'm just going to highlight all of those, a fast food restaurant, a small office building and a car wash with...oh, last thing, also a mini storage facility that's 120,000 square feet in size. And total site development is approximately 214,000 square feet. The car wash was envisioned, as you can see here, on the south side of the stream that runs through the property. However, the current proposed car wash location is on the north side of the stream, generally in the location of where that small office building was proposed. The proffered conditions allow flexibility in the location and types of uses on the property.

Ms. Vanuch: Mr. Geouge, can I just go back one second? The dots at the very bottom of the last circle that you circled, where now the new proposed car wash site is, see that little track of land with the dots?

Mr. Geouge: Yes.

Ms. Vanuch: What is that?

Mr. Geouge: Those are forested wetlands.

Ms. Vanuch: Okay, thank you.

Mr. Geouge: the conditional use permit area is wooded with a sewer line and perennial stream running along the southern boundary, and sort of...you can faintly see the cleared area for the sewer easement and then the stream is just below that. There is a 100 foot critical resource protection area buffer and some wetland areas associated with the stream. The site is relatively level, apart from the stream channel. The stream is fed by a VDOT stormwater management facility to the north-west, directly adjacent. That's located here. There is also an unoccupied ca. 1887 home on the parcel located outside of the CUP area. An architectural survey was completed for the structure in 2016 and it was found to be not historically significant. A Generalized Development Plan submitted with the application depicts two access points along the main travel way for the development. Not sure why my mark's carried over. Just give me a second here. There's two access points. One is a two way access point and the second is an enter only. The enter only access leads to a two lane cueing area which have capacity for 7 vehicles each and includes payment stations and automated gates located at the end. The gates allow vehicles to enter the proposed 4,000 square foot automated car wash. This is considered a tunnel car wash where vehicles will move through the building by conveyer system. After the car wash vehicles would enter an 18 space parking area that's set up with vacuum hoses and then after the vacuum area there's a one way drive aisle that leads to the exit. Other features include a dumpster and loading space located at the north-west corner of the property, and an inter-parcel connection between this site and the pad site to the north. The Generalized Development Plan also depicts replanting areas associated with a special

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exception for encroachment within the CRPA that was approved by the Stafford Chesapeake Bay Board in September of 2017. Other conditions of this approval include a requirement to reshape and restore the stream channel and also a monetary contribution for disturbed areas that could not be mitigated on site. And those replanting areas are show on the Generalized Development Plan as cross hatch symbol with the little triangles in them.

Mr. Apicella: Brian? Could you go back? So when someone's done and they're leaving the car wash, where do they go to get out?

Mr. Geouge: They would go out of this exit right here. This is the two way access point.

Mr. Apicella: Right, and how do they get back onto Garrisonville Road?

Mr. Geouge: Oh I'm sorry. They turn left and then come up here and this is a right-in right-out only entrance, so they would have to take a right. There'd be no option for a left turn.

Mr. Apicella: And that's the road that's shared with North Stafford High School?

Mr. Geouge: Yes, they use that for access to the school.

Ms. Vanuch: Now that's Garrisonville Road?

Mr. Geouge: Garrisonville Road.

Ms. Vanuch: They'd have to go up to Joyce Street, like so let's say you're travelling, what's that? Westbound on 610? I think that's my directions. You'd have to go to Joyce Street which is...where is Joyce Street on here? Circle that. Yeah, you'd have to do a U-turn there to get...yeah, well Joyce goes to Wolverine Way, but like if you're on Garrisonville headed west, that's Wolverine Way, you'd have to do a U-turn where he just drew his arrow to get into the site.

Mr. Geouge: So the entrance you saw on the Generalized Development Plan is maybe generally here, so someone heading westbound on Garrisonville would have to U-turn on Wolverine Way to access the site.

Mr. Apicella: Okay and then to exit the site. So again, you've finished your car wash and you're leaving the project, complex, whatever you want to call it, how...where are you going?

Mr. Geouge: You would have to go east on Garrisonville Road, because it's a right-in right-out only entrance here proposed. Otherwise there are proffered conditions that allow for an inter-parcel connection to Wolverine Way, contingent upon School Board approval. So if that's ever constructed, then they could exit the site out this way and then come up to the light and either take a right or a left on Garrisonville.

Mr. Apicella: So the bottom line is if you're going westbound on Garrisonville, you would have to do a U-turn to get into the site and then if you wanted to go back westbound on Garrisonville, you'd have to go east...

Mr. Geouge: You'd have to go east and then you turn somewhere and come back, yes.

Mr. Apicella: Right, thanks.

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Mr. Bain: Looking at that graphic, there is also an inter-parcel connection with the larger parcel to Wellington Drive, over in the R-1 area. It appears. Go back to that areal, over in the residential area.

Mr. Geouge: Are you talking about here?

Mr. Bain: Yes, is that an inter-parcel?

Mr. Geouge: No, the road just ends there. There is no plan for a connection there.

Mr. Bain: The way it ended it kind of led me to think that might be an inter-parcel connection.

Mr. Geouge: And there is also another one of those down at the south end of the parcel that just sort of stubs.

Mr. Bain: Okay. Alright. Thank you.

Mr. McPherson: Brian.

Mr. Geouge: Yes.

Mr. McPherson: One quick question. Looking at the plan there is mention of a wetlands, not just a resource protection area, but it mentions wetlands.

Mr. Geouge: That is correct.

Mr. McPherson: Are those primarily created and fed by the existing stormwater management that you talked about or they're separate.

Mr. Geouge: I believe both, the stream and the wetlands, are primarily as a result of the outfall of the stormwater management facility.

Mr. McPherson: And do wetlands by themselves carry any special consideration above and beyond RPAs, because I know wetlands are often a sensitive topic.

Mr. Geouge: So wetlands are surface waters that are regulated by DEQ, so as part of this proposal, it is my understanding, the applicant has gotten a general permit from DEQ for 1/10 of an acre of permanent impacts to the wetlands. You can see that here... it will help if I erase some things first. You can see the edge of the wetland areas, so their impacting this right here and then the remainder of it, I don't think they intend on disturbing with the development.

Mr. McPherson: Okay so they already have a permit for the parts that they might...

Mr. Geouge: I believe so.

Mr. McPherson: Okay, thank you.

Mr. Bain: And just for clarification, the VDOT stormwater pond there is solely for Garrisonville Road runoff. It would not provide any protection for this site.

Mr. Geouge: Correct.

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Mr. Bain: Okay.

Mr. Geouge: With the development of the site they have to provide their own stormwater management facilities, whether they be regional facilities or in ground.

Mr. Bain: Thank you.

Ms. Vanuch: Any other questions? Okay, go ahead.

Mr. Geouge: A few other notes; the applicant has indicated that there will be 2 to 3 employees at the car wash during business hours. Manual prewashing of vehicles may occur before they enter the car wash. The car wash will utilize a water recovery system which will recycle minimum 50% of the water used. Existing proffers would limit the hours of operation for the car wash to between 7am and 9pm and limit refuse collection and deliveries to between 6am and 10pm. The proffers on the property include transportation improvements such as including construction of a right turn lane on Garrisonville Road for those headed eastbound and an inter-parcel connection to the High School. The inter-parcel connection was, with the previous car wash location, it was sort of associated with it in that location, but since the car wash has moved, providing that inter-parcel connection would be addressed later when that portion of the property develops and it would also be contingent upon, again, approval by the School Board. A transportation impact analysis was not required with this application since an amended analysis was provided with the proffer amendment. And this analysis accounted for the car wash on the property. The use is expected to generate around 56 trips per hour during peak hours and I believe the total vehicles per day was 530 for the car wash use with an overall development traffic generation of somewhere around 4,600 vehicles a day, so we're looking at roughly 10% from the car wash. The intent of requiring a conditional use permit for car wash in the HCOD is to ensure that the use will not have a negative impact on the highway. The proposed use is set back from the road adequately and vehicle stacking will not impact the corridor highway. Another comment on stacking is, the ordinance requires that 5 stacking spaces be provided per wash bay for a car wash. Since there is only one wash bay proposed here, the parking stacking requirement would be 5, however the applicant is proposing two lanes with 7 stacking spaces each, so they far exceed that requirement. Finally, you can go back, finally staff finds that the proposed architectural design shown here to be consistent with the existing architectural proffers and the neighborhood design standards which applies to developments within the HCOD. Some compatible elements show on the rendering include the use of brick as a primary façade material, standing seam metal roof and a variation in roof line. Here's an example photo provided by the applicant. The building shown here is...

Ms. Vanuch: Hang on one second. Did you have a question Mr. McPherson?

Mr. McPherson: If I may just real quick. A clarification of a point you made just a moment ago. I believe I heard you say the reason it's up for conditional use is to evaluate the impact on the Garrisonville Road. Is there any other deviation or reason why it's up for conditional use above and beyond that what's otherwise permitted on the site?

Mr. Geouge: So conditional use permits are also sometimes those that are seen as having a greater impact on adjacent properties through noise, or visual impacts, or even traffic and things like that. So there are other elements to consider, such as the 6 elements that are set for the consideration of conditional use permits.

Mr. McPherson: Okay. Thank you.

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Mr. Geouge: So the example photo shown here shows a building that's pretty similar in design for the proposed one with brick facades, standing seam metal roof, same variations in roof line. At the foreground you'll see the setup for the vacuum area and you can see there's these booms that sort of extend out between each parking space and there is a tube that kind of connects them all. So the way this works is, there is a single vacuum pump that supplies pressure to all the hoses. They don't have individual vacuums at each parking space that you would go pay for and what not. That's all provided via a single vacuum. Proposed conditions include that the site be developed in general conformance with the Generalized Development Plan and general conformance with the architectural rendering provided. A water recycling system is required. The applicant has also expressed that they'd be willing if desired, to expand on that condition to state that a minimum of 50% of the water will be recycled and staff also notes that it's to their benefit that they recycle more from an economic standpoint. The proposed conditions would also require that the dumpster be screened with masonry materials similar to the primary building. Signage must use complementary colors and materials. The monument sign must use materials similar to primary building and the inter-parcel connection is required to the adjacent pad site. Staff finds positives with this are that it's consistent with the Comprehensive Plan recommendations for commercial development along major road ways, consistent with the established development patterns on Garrisonville. Proposed building design incorporates recommendations of the neighborhood design standards plan. And the use is sited appropriately to minimize impacts on the corridor highway, with no negative aspects noted. Finally, we recommend approval of the application with the conditions pursuant to resolution R18-85. And I will take any questions.

Ms. Vanuch: Thank you Mr. Geouge. Any questions?

Mr. Boswell: Just one.

Ms. Vanuch: Mr. Boswell.

Mr. Boswell: I heard you and I'm looking for it in here, but tell me how many vehicles they estimate to wash there per day?

Mr. Geouge: It was estimated in the operational analysis that it's 530 vehicles per day.

Mr. Boswell: 530. Okay. Thank you.

Ms. Vanuch: You think 530 cars are going to use that car wash per day?

Mr. Geouge: That's the estimation based on the...

Ms. Vanuch: I might be in the wrong business. Yes, Mr. McPherson.

Mr. McPherson: Can you please confirm for me that if they recycle 50% of the water, any water that is not recycled goes into the sewer via the sewer easement? It's not drained into the wetlands or through the RPA, correct?

Mr. Geouge: That's correct.

Mr. McPherson: Okay. Thank you.

Mr. Geouge: And there would also be some oil separation and filtering of that water before even goes into the sewer system. That's part of the system.

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Ms. Vanuch: Mr. Bain?

Mr. Bain: I have one question. They mentioned stream restoration. Do you know what that's going to involve? Do you have any indication on that yet?

Mr. Geouge: From what I understand, the...I'm just going to sort of draw here somewhere...the current stream bank is very steep. I think it's pretty shallow though. From what I know that stream bank that's steep isn't really that conducive for water filtering. So what they're going to do is come back and lay back the slopes some.

Mr. Bain: What you're drawing on there is not showing up here.

Mr. Geouge: Oh I'm sorry.

Mr. Bain: And is that going to impact the wetland area then or is it below downstream from the wetlands?

Mr. Geouge: So, the applicant or his engineer can correct me if I'm wrong, but the stream itself is considered surface waters, so it's, I believe it's being addressed as part of the DEQ permit. But they'll have to confirm that.

Mr. Bain: Okay. Thank you.

Ms. Vanuch: Mr. Randall?

Mr. Randall: Yes, I have a couple of questions. Could you talk very briefly about the access into the parcel, what arrangements they've made. I'm seeing here, I can't see it very clearly, but I'm seeing here there is a designated turn lane in. Could you talk to that please?

Mr. Geouge: Yes. With the proffers the applicant is required to construct a turn lane and I have the specifics on the details of the turn lane if you like them.

Mr. Randall: Please.

Ms. Vanuch: While you're doing that, really quickly, have we checked with VDOT? Are they concerned about the whole right turn, right-in and people doing U-turns right at the Wolverine Way and Joyce Street and then immediately slamming their breaks on to turn into the car wash?

Mr. Geouge: I know VDOT had several concerns with this, with this project, so I believe originally the applicant was pushing for a median break to allow left-ins, left-outs, but in the analysis I think it showed that if that were provided, it would operate at a poor level of service. They'd also have to have a spacing exception from VDOT because of the proximity of the nearby intersections. So I don't believe VDOT was supportive of the median break and I think there were some other concerns about especially left turn movements at the Wolverine Way. So the proffer states that subject to VDOT approval the applicant shall construct a separate right turn lane with 100 foot long taper along Garrisonville Road to serve the main entrance to Patriots Crossing.

Mr. Randall: And then how long would the right turn lane be to get in. It tapers to 100 feet and then it's, I believe, it's a 200 foot actual right turn lane?

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Mr. Geouge: I think, yes, it does have a...yeah it says right here, 100 foot taper, 200 foot storage.

Mr. Randall: Okay in order to turn right into the property?

Mr. Geouge: Yes.

Mr. Randall: Okay now do we have any indication that there is the same advantage to when you turn right out of the property, or are we turning right out of the property directly into traffic?

Mr. Geouge: As far as a merging area?

Mr. Randall: Yes please.

Mr. Geouge: Not that I'm aware of. They do show a slight taper here, but I don't...there's nothing proffered as far as a merging area.

Mr. Randall: As far as an out advantage as we would have going in?

Mr. Geouge: Right.

Mr. Randall: Okay. Now talk to me about the traffic impact analysis. That was done initially, one done initially in twenty...

Mr. Geouge: 2012.

Mr. Randall: 2012. And that was based on how many vehicles per day? Was that based on vehicles per day or was it based on the use of the property?

Mr. Geouge: Well the vehicles per day were based on the assumed uses on the property. And at that time there was a large recreational center, I think it was around 200,000 square feet, and I believe the traffic generation was somewhat similar to what's being proposed now, around 4,600 vehicles per day.

Mr. Randall: About 4,600 vehicles? Do you have access to that traffic study that was done?

Mr. Geouge: I can get it. I don't have it with me. All I have today is the operational analysis that was provided with the proffer amendment.

Mr. Randall: Okay, because I'm interested, we've gotten some feedback from North Stafford School, not the School Board per se, but the school. The school is very concerned about anything having to do with Joyce and 610. As we know, if you've not been there, don't drive through there between 7 to 9 in the morning and between 3 and 6 in the afternoon, because you can't get very many places very easily. And so he's concerned that that's going to cause more of a problem for the schools, people making left, that U-turn to get into that property. Okay, so you don't have it with you. I believe when I looked at it, it had several levels of service in the D and E range and I'm concerned, and that was in 2012 and my guess is, since 2012 that traffic's gotten considerably worse.

Mr. Geouge: What I sent you is actually the operational analysis provided in 2017 with the proffer amendment, not the TIA.

Mr. Randall: Okay.

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Mr. Geouge: So those levels of service here should be reflective of the proposed development shown here on the GDP.

Mr. Randall: Okay and do you have...you don't...

Mr. Geouge: I have it here, yes.

Mr. Randall: You have those, okay. So what's the...what was the determination based on the Joyce and Wolverine Way level of service? I thought I saw a couple that were less than what we ask for in the GDP. And so I was just wondering if you have those available.

Mr. Geouge: It might take me some time to find the numbers.

Mr. Randall: Okay, that's fine. We may want to then come back to it and we can revisit this.

Mr. Geouge: Okay, so I have it here. Garrisonville Road at Wolverine Way/Joyce Street; existing conditions, it's showing a level of service E for, well, I'll use the overall levels of service, so for that intersection it's a D in the AM peak hour and a C in the PM peak hour. Projected conditions for, let's see, let me make sure I'm getting this right, okay, so the way they did it is they had several different scenarios.

Mr. Randall: Sure. Scenario 1, 2 and then 1A and 2A based on...

Mr. Geouge: Right. And that was based on their ability to have a median break and the inter-parcel connection. So it really depends on your scenario, but...

Mr. Randall: Well, if you go to scenario 2 based on the fact that there's no inter-parcel, assuming no inter-parcel connection and assuming no median break, that would put us at the second one, correct?

Mr. Geouge: Right and that would be an E in the AM peak hour and a C in the PM.

Mr. Randall: Okay. Is that the worst of the traffic analysis 2?

Mr. Geouge: Scenario 2?

Mr. Randall: Scenario 2. I'm sorry. That's correct.

Mr. Geouge: It looks like, let's see here, okay, this is 2020, so looking at 2020 the projection for that scenario is a F and a C.

Mr. Randall: That's 2020 without the, I guess there were also a couple that said 2018 current status, 2020 current status and then 2018 and 2020 with the development.

Mr. Geouge: Right and that is with the development under scenario 2 projecting out to 2020 and assuming as certain amount has been built at that point. And then they also look at a scenario where Garrisonville Road is widened to 6 lanes in 2020 and under that it's a level of service E AM and C PM.

Mr. Randall: Now what's the current plan for this development or the widening of 610 down to Shelton Shop?

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Mr. Geouge: The plan for widening?

Mr. Randall: If that's applicable or not to the conversation.

Mr. Geouge: It's a little...

Ms. Vanuch: Wishful thinking.

Mr. Geouge: Yeah. So in the FY18 budget it was shown as having funding from 2020 to 2022 and then construction wouldn't occur until after full funding. However with the proposed FY19 budget it's dropped off the list. So it's currently as it's proposed...

Ms. Vanuch: It's with Courthouse.

Mr. Geouge: Yes, it's not planned for funding any time soon.

Mr. Randall: Okay, so based on the analysis that you're looking at and I just pulled it up so I'm looking at the same thing now, but based on that, we wouldn't expect with the current situation that the LS, level of service for Joyce and Wolverine Way in 2020 that currently being an F, we wouldn't expect to get any better based on the current situation that we have in front of us, correct?

Mr. Geouge: Well, it's saying current is actually a D and a C for Wolverine Way/Joyce Street.

Mr. Randall: Right, but if you go to total future...

Mr. Geouge: So for example under 2020 scenario 1 it's a E and a C, and then you have F and C, much worse, F and E, much worse, F and E, much worse.

Mr. Randall: Exactly. So... okay. And then, yeah, I guess that's my number 1 issue, I guess, is the traffic, it's already bad in that area and I don't know if the current...leaving it alone and not doing anything with it is going to help or make worse the situation we already have. Here is my concern. My concern is, we build this, we build the whole parcel out, we haven't made any changes to light, it's still a right-in right-out and we have literally stacked up all the way to the back of the lot, trying to make that right hand turn without a merge lane, without any options, because either they're coming east on 610 or they're all coming out of the high school. There is really no break in traffic with the change of the light and really you have them stacked up back in that parking lot or back in that parcel, you know, for 3,4,5,10 minutes trying to make that right turn out when you've only got one car at a time. If you stand over there and watch that traffic now between 3 and 5 in the afternoon, it's yeah. And then the concern of the principal obviously is in the morning when people are coming to school and people are trying to make that U-turn to get into that parcel, is also going to make that a detriment. So I'm concerned that what the current way that it's given to us, isn't going to help that traffic in any way shape or form. Anyway, that's my concern.

Ms. Vanuch: Mr. English.

Mr. English: What time did we say the car wash was going to be open in the morning?

Mr. Geouge: I believe it was 7.

Mr. English: It's going to open at 7 in the morning?

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Mr. Geouge: At the earliest, yes.

Mr. English: So if they change the hours to maybe 8, after school is in session, that may help some of the problem with the traffic, correct? In other words, if the school starts at 7 in the morning and the car wash opened at 9 or 8 that takes out of the mix with the traffic with the schools, correct?

Mr. Geouge: Right and...

Mr. English: But I know they can't do anything with the evening traffic because it's going to be open, but that would take...and there us a light there and I don't think the school...remembering...if I think about...the school was willing to cut through Wolverine Way to make another access road. I don't think they were allowed to do that, right? To my knowledge.

Mr. McPherson: I don't believe so, and it talks to it in the proffers as well, about that. Is that something you want to address?

Mr. Geouge: I can give you a brief overview of that. So the Wolverine Way connection, as I said before, is contingent upon approval by the School Board. There is certain scenarios where if based on estimates the applicant shows that it's going to cost more than 275,000 to construct the connection and the connection, I'll back up, the connection is not just a connection to Wolverine Way there is also a proffered condition of them also adding a right turn lane on Wolverine Way for traffic heading east on Garrisonville and reconfiguring the signals there to accommodate that, but it's all conditioned on, the maximum they're obligated to spend on that is 275,000 dollars. If the estimates show that it's more than that, they can just contribute that amount to the county for future improvements and there's some other elements tied into that, like the, there was a proffer regarding grading and...clearing and grading of some areas on the school site. They're sort of tied in to whether or not the School Board provides the easements necessary to have a public access through their property for that inter-parcel connection.

Ms. Vanuch: Mr. McPherson.

Mr. McPherson: One quick question regarding the proffers. Is this proffer relative only to the car wash, that you were talking about, or is it for the development of the entire property?

Mr. Geouge: The development of the entire property for the access proffer.

Mr. McPherson: Okay thank you.

Ms. Vanuch: Mr. Apicella:

Mr. Apicella: Madam Chairman, we have several new members, only 50% new members...

Ms. Vanuch: Couldn't wait till you started talking.

Mr. Apicella: ...who probably don't know the history of this project and how it's evolved over the years. And again, most recently in 2017. I'd like to call attention to the last page, attachment 6, page 15 of 15. And Brian, can you read the note 1 that's in the GDP.

Mr. Geouge: Page 6 of the staff report?

Mr. Apicella: It's attachment 6 page 15 of 15, so it's the last page of the staff report. It's the GDP.

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Mr. Geouge: I'm trying to get there.

Mr. Apicella: Last page.

Mr. Geouge: On the GDP?

Mr. Apicella: On the GDP. It's under site information. It's about midway through the top of the page. No 1. You might need a magnifying glass.

Mr. Geouge: You're talking about the proffer amendment GDP, correct?

Mr. Apicella: Yep.

Mr. Geouge: I apologize. Ah here, no, that's not it either. You might have to humor me and read that note for me.

Mr. Apicella: So, what it says is, this plan is illustrative only and may be phased. Partial areas, building uses and areas are representative only and subject to modification. All proposed parcel lines and proposed site improvements shown on the plan may be amended by the owners. That goes on from there. Okay, attachment 6, page 3 of 15, proffer number 1. Can you read that?

Mr. Geouge: Proffer number 1, the applicant agrees that the development of the property shall be in accordance, or conformance with the Generalized Development Plan dated December 18<sup>th</sup>, 2015, revised January 13<sup>th</sup>, 2017, prepared by Fairbanks & Franklin and so far as the general location of buffers, parking areas, travel ways, pedestrian access, building height and stories and transportation improvements identified in proffer 2. All other improvements shown are illustrative only and are subject to modification.

Mr. Apicella: Okay, taken together, the language in the Generalized Development Plan and this proffer 1, what does this tell us?

Mr. Geouge: It tells us there's a flexibility in the...

Mr. Apicella: Tells us there is a lot of flexibility, right? So what we see there in the design, the 9 or 10 buildings, where they're located, the specific uses, and upon which the TIA was developed may not actually bear out in reality. It could be less intense. It could be more intense. There could be more buildings. There could be fewer buildings. We can get more of one type of building than another type of building. Kind of like the discussion we had a couple of weeks ago about another parcel, that some uses have more intensity than others and bring about more traffic than other uses might be. So bottom line is, again, no maximum number of buildings were proffered. No maximum square footage was proffered and no maximum daily vehicles per day were proffered. So, again, the TIA that was discussed in the plan in the staff report as it relates to the car wash, it's still somewhat speculative, because we don't really know what the final result is going to be. Is that a correct statement?

Mr. Geouge: I would say so, yes.

Mr. Apicella: Okay, so now I'm looking at the GDP that was provided for this specific use. Can you read note number 1?

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Mr. Geouge: A little unorganized here. This plan is illustrative only. Parcel area, exact building orientation and site layout are representative only and subject to modification. All proposed parcel lines are proposed...and proposed site improvements shown on this plan may be amended by the owners and to fulfill requirements of final engineering in compliance with state agency regulations and or County development regulations.

Mr. Apicella: Okay. And also on the GDP itself in certain areas I see the phrase written several times "potential development, illustrative only". Do you see that on the actual diagram, several places, same words. Potential development, illustrative only. Again, how much leeway does this language provide the applicant?

Mr. Geouge: I guess it is somewhat subject to interpretation of the proposed conditions for general conformance with the GDP.

Mr. Apicella: So that kind of brings me to my next point. One of the conditions says, this project shall be done in conformance with the GDP. Well, it seems like there is some caveats in the GDP that provides a lot of flexibility to the applicant. Is that true?

Mr. Geouge: Possibly. I think despite, from what I understand at least, correct me if I'm wrong, but the condition language would, since it states as shown on the GDP, it doesn't reference the exact notes on the Generalized Development Plan, so those wouldn't play as much of a role in determining whether it's in conformance or not.

Mr. Apicella: Well, let's use an example. So up above the notes, something I've not seen before, it says, vehicles per day entire development 4,632, vehicles per day car wash site 530. Is that guaranteed or not guaranteed as a result of being placed in the GDP?

Mr. Geouge: They're not obligated to hold to that trip generation, no.

Mr. Apicella: Okay. So now I'm looking at page 6 of 12. It says there is going to be on stall proposed. Is that guaranteed? Is that cast in stone?

Mr. Geouge: It is shown on the GDP as one stall. I suppose it could be reinforced with another condition that limits the development to only one stall.

Mr. Apicella: Okay, and it says a 4,000 square foot automated car...I'm just paraphrasing some of the words that I see in this paragraph on page 6...it's 4,000 square foot automated car wash building. Again, is that something that's guaranteed or not guaranteed?

Mr. Geouge: Again, my previous statement would apply to that. It is held to somewhat of a standard by the compliance with the GDP requirement, but there could be some flexibility, correct.

Mr. Apicella: Okay, and there is no guarantee that it can't also turn into full service car wash, right, even though it speaks to being an automated car wash. A car wash is a car wash, unless otherwise more generally, or more specifically categorized, is that correct?

Mr. Geouge: If by full service car wash you mean a...

Mr. Apicella: I mean with lots of employees washing cars, like I've seen, I don't what the name of it is, but there's a car wash.

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Ms. Vanuch: 610 car wash.

Mr. Apicella: Yes, 610 car wash.

Ms. Vanuch: There's also S & F.

Mr. Apicella: I see lots of young people out there washing cars.

Ms. Vanuch: Man, I don't know what your car looks like. No.

Mr. Apicella: No, you don't want to see what my car looks like, but I just imagine that a full service car wash is probably more intense than an automated car wash. I could be wrong, but that's my general sense. Is that a somewhat accurate statement?

Mr. Geouge: I believe, I assume a car wash like that would be designed differently, have significant differences in the layout, so from that perspective, it probably would not be allowed.

Mr. Apicella: That's not what I'm reading here. I see that they can change the site layout. Site layout representative only and subject to modification. Right there in the first note. Tells me that, again, they can do something...in my mind, it tells me they can do something different than what they've put here or what's in the staff report. I'm on page 8 of 12. I'm getting back to the full service versus automated. Under operational information it says, the applicant has indicated that there will be between 2 and 3 employees during business hours. Again, that's not guaranteed, cast in stone, unless otherwise specified in a condition, right?

Mr. Geouge: Correct.

Mr. Apicella: Again, I'm just going to reiterate that...I'm looking at the next page, page 9, which talks about 65 vehicle trips per hour during the weekday PM period. Again, that was built on, in my opinion, a somewhat speculative TIA. So could be less, could be more. We won't know until the entire project is built out and until we know exactly what kind of car wash is going to happen here, right?

Mr. Geouge: Right, I suppose so. It could vary, depending on the actual use. From what I recall from that ITME manual, there is very limited data. There weren't many samples for the car wash use that they based their averages on. So there could be quite a bit of fluctuation there.

Mr. Apicella: So the bottom line, based on the original GDP, I'm not sure which governs, whether it's this GDP or the GDP specific to the car wash, but there's a lot of flexibility in both, the original GDP the governs the whole site and what seems to me some flexibility in the GDP with this specific car wash.

Mr. Geouge: I would say more flexibility in the proffer amendment GDP and tighter but still some flexibility based on the language of the proposed CUP.

Mr. Apicella: Right, but the absence of conditions or conditions put in could kind of get back to what they said they were going to do and make sure it's not going to be more intensive than...

Mr. Geouge: That could reinforce (inaudible).

Mr. Apicella: ... they might otherwise be able to do in the absence of such language.

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Mr. Geouge: Yes.

Mr. Apicella: Alright. Thank you.

Ms. Vanuch: Thank you. Any other questions? Okay. I think we're good. Now we can let the applicant come up, if you want to. And when you start off, just state your name, address and... You do have more than 3 minutes though.

Mr. Hickman: Good evening Madam Chair, members of the Commission. My name is Jason Hickman. I'm an attorney with the law firm of Compton & Duling. I'm here today on behalf of Patriots Crossing car wash, specifically the applicant, Don Hart. His representative, Donny Hart and the engineer, Justin Franklin, who is here with me as well. I want to start out by probably clarifying a couple of things, because I want to make sure we start out on a sound foundation. The number of car washes per day is 206, not 500 plus. The reason for the CUP, the only reason for the CUP is because this is in the HCOD area and that's why it's required. This particular development was the subject of a prior proffer amendment in 2017. The only thing that is the subject of this CUP is the flipping of the car wash from one area to another area within the same development. There has not been a change to the use of the overall development. Additionally there are limitations placed upon this development, including the fact that phase I is limited to a maximum of 50,000 square foot and phase II can only be developed, there are certain triggers that include the expansion and development of Garrisonville Road. Those are both in the original 2017 proffered conditions. I'll also note that the actual...one of the questions that the commissioners asked was relative to the use of the property. We had proposed an additional condition, which I can hand up if you like, which says, the car wash shall be an express exterior tunnel, single stall car wash. That was an additional condition that we had agreed to, that wasn't included with what you have. So if you can go to the, sorry Jeff, I'll wait for you. Thank you very much. So this particular overview shows not only the site location but the basic, the basics of this particular proposal. We're in B-2 zoning. It's 1.5 acres of a 24 acre commercial development. As I said, the Conditional Use Permit is required because it's within the HCOD. Its 200 feet from Garrisonville Road, 400 feet from residential, 160 feet from Stafford High School, from the property line, the building is. If you could go to the next. Thank you. You can see from these two, the one on the left being the Generalized Development Plan, and the one on the right being a blow up of that same provision. You can see the character of the particular development was moved, as I said, from the right of the stream to the left. The RPA/wetlands issues have all previously been dealt with through the special exception with the Ches Bay Board. There are very specific requirements that the applicant has to fulfill as part of the special exception. That special exception has to be met. The applicant doesn't have any choice. If you could go to the next slide please. The use limitations, as was discussed previously, there's an hours of operation not to exceed 7:00 am to 9:00 pm. Car wash shall utilize a water recycling system that captures approximately 50% of the water. Dumpster shall be screened with masonry materials that are similar to the primary building. No portable signage may be used on the property and the inter-parcel connection must be provided to the north of the car wash site. There are two inter-parcel connections relative to this particular property. One doesn't apply and that's the inter-parcel connection relative to Wolverine Way and the school. It does not apply and is not triggered by this development. The only inter-parcel connection that is subject to this particular development of the 1.5 acres is the inter-parcel connection right...is that...did that show up? It didn't show up. We'll just skip that, but it's...

Mr. Harvey: I apologize, but the ink layer is malfunctioning.

Mr. Hickman: So it is the, as you exit, and this is actually a better depiction of the right-in right-out and the travel way as well, so let me start there. So as you're on Garrisonville Road there's a 200 foot storage and a 100 foot taper that turns as a right-in only onto the access way and then when you get to

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the first entrance of the commercial car wash, you can see that's the inter-parcel connections that's required, you go to the second entrance, that's the main entrance that would be utilized by those people who are coming through the car wash as was stated, there's a double stacking. Required 5 stacking, this has 7 per lane and there's two lanes so there's 14, which far exceeds the requirements. The access and the routing is as shown. It's easy access inside the car wash. The road servicing the car wash site and future development would be developed as part of this and there is a, as we've already discussed, the right-in right-out. If you could go to the next slide please. The proposed renderings, which you've already seen, staff has already pointed out the positive attributes so I'll move forward with that and then the vacuum base. I'm certainly happy to answer any questions that you have. I will note that there's, the TIA that was done and then the subsequent analysis that was done, was done relative to a recreational facility which has substantially more trips per day than the use as a car wash and the commercial use that this was modified to and which was approved in 2017 with the proffer amendments. The...if there's additional questions, I'm available to answer them. Mr. Hart's here to answer questions as well, as well as the engineer, Mr. Franklin as well.

Ms. Vanuch: Anyone to the left have any questions? Anyone to the right? Mr. Randall.

Mr. Randall: I have a couple of questions. I guess the concern I have is, again, the traffic. What was the analysis for the reason we didn't have an out lane, just as we did an in lane, a taper and then a stacking off of Garrisonville Road? Was there a particular reason why we chose not to have a right out merge lane as well?

Mr. Hickman: I believe the short answer was, it wasn't required. It wasn't suggested. Justin, do you want to address that specifically? Let me have the engineer address the specifically.

Mr. Randall: Sure, that's fine.

Mr. Franklin: Typically that's not actually something that VDOT encourages, primarily because it actually creates a second conflict point, because you have different... when you have one entrance without an acceleration lane, a protected acceleration lane that is, what ends up happening is, you end up with a conflict point at the entrance and then a conflict point where the cars are trying to merge over. It's discouraged. VDOT is concerned about their main road way, the functionality of Route 610 in this case.

Mr. Randall: Sure.

Mr. Franklin: If there's a decreased level of service on the private side, on the project side, that's of less concern. Again, it's not typical and that's why it wasn't done. Typically...you'll note... for example, if you see an acceleration lane, usually they're for left turns out and they're usually protected. We have another project as a matter of fact that utilizes that approach. That's because when you're making a left out you have two directions that you're looking and you need that protected left in a high volume situation and a right as a permissible movement. So the thought process, you just don't get out in traffic unless you have room to accelerate in the first place. Does that answer your question?

Mr. Randall: It does. I recognize that VDOT may not recommend it. I'm just not sure how you're going to fix the, you know, 5 years from now, 610 may or may not have been widened. You have 3 commercial locations, 3 multi-tenant buildings, a car wash, a fast food restaurant. You have 4,000 cars in and out and really, there won't be any way for them to make a right hand turn out of that during those peak hours. You know, that's my number 1 concern. And then when I look at the level of service, I know we didn't do a new one, I know it's based on recreational facility that we had originally, but I

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think that recreational facility or not, I think the level of service that we've seen in a number of those intersections both at Joyce and at Park Ridge has proven to be much less than what our Generalized Development Plan allows for and I think without any compensation, any mitigation for those we get in the problem of, am I making the traffic situation worse without any steps to try to help that.

Mr. Franklin: And I think the Board contemplated some of that, because if you look at the approved proffers, there is a provision on Phase II relative to the development of additional parcels or additional development of the parcel that it could only be done...full build out of the uses on the property shall be allowed only if the planned upgrade of Garrisonville Road from 4 lanes to 6 lanes along the property frontage is completed or a revised traffic study demonstrates that the development proposed at the time of the site plan approval is in compliance with the minimum VDOT level of service standards. That's part of the already existing, approved, proffered conditions. It's at page 7 proffer 4b I believe it is. 4b little 2 and then the other limitation I referenced previously is on the page before and that is the maximum square footage of the building is 50,000 square feet. And this particular building...

Mr. Randall: Of the building or of phase I.

Mr. Franklin: The gross...phase I gross.

Mr. Randall: The total amount of phase I built, is that what you're saying?

Mr. Franklin: The first area is anticipated to include retail oriented and retail uses shall be limited to a maximum of 50,000 square feet.

Ms. Vanuch: Any more questions?

Mr. Randall: Thank you.

Ms. Vanuch: Alright. Thank you. Okay so now is the public hearing portion of the meeting. So if anyone would like to come down to the podium and speak for three minutes. Again, when the yellow light turns on, you have 1 minute left. When the red light turns on please cease your comments and please state your name, address and magisterial district.

Ms. McMahon: Good evening. My name is Mary McMahon, I live on South Hampton Court in Park Ridge, which is The Gates, it's a small community right behind Coldwell Banker and we are adjacent to this property. I'm also the president of the home owner's association for that small subdivision, which is part of Park Ridge. We have a number of concerns as you can well imagine. Noise, traffic, the stream and the restoration for that stream, in particular, that stream goes along the back edge of our community. It holds water the entire time, even in the summer time. It drains underneath Park Ridge Boulevard which is maintained by VDOT and we do have problems with that undergrounding under Parkway Boulevard. If you want to take a peak, VDOT's been out and tried to fix that undergrounding a number of times. We've actually had erosion where we've been worried that Parkway would cave in. That then drains into a large retention pond that is owned by Park Ridge home owners association and we're responsible for maintaining it. So the stream restoration is a very important part of this property development. We realize that something's going to go in there at some point. You can't have 24 acres of prime property and not have something go in. The developer has worked with us and actually moved the car wash from one end of the property over so it wasn't right next to us, which we deeply appreciate, but we really want to see the stream restoration done properly and, you know, the traffic is a big concern for us as well. Just getting into our little division, we're right up there, right next to 610, so getting in

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and out of our little community is tough sometimes, but thank you very much for your consideration and for thoughtful deliberations tonight. Thank you.

Ms. Vanuch: Thank you.

Ms. Knight: Good evening, my name is Jo Knight, Nautical Cove. You know today it's difficult getting the commercial developers in the area and we work hard at it. This property was zoned some years ago, as Steve mentioned and the developer who got all the proffers and set everything went defunct with the down turn of the economy. It went back to the two elderly property owners. One of them had very bad health. They've had a time trying to pay the taxes on this zoned property that they though was sold. They grew up there. Now we found a developer who has come into the picture and taken it over and attempting to bring us more commerce, which we badly need to offset the cost for our schools and other needs in the County. And as I said before, and I was sentimental about that road deal, hadn't planned on that one, but I truly believe we ought to work together and try to make this thing happen. I know the developer has met with the community and bent over backwards trying to make them satisfied with what he will do. I think it can be a benefit when this is developed to the schools. It's a close, accessibly place for the school children to even have part time jobs. It may eliminate the need to go on the road for some of the needs they have with school, students and teachers. And I really believe it's a good place for it. I know it's tough to accept change for anyone and Park Ridge has been reasonable. I can recall so much, when Aquia had...first was developed and no one wanted it. And they thought it was going to be deplorable and they wouldn't get in and out. Now of course we have not gotten anything and they're dying over that. They really need it, want it, and we want it. So I'd like to think that the schools too would work with us and we would all pull together and support and encourage the commerce that we're seeking to develop here. So thank you.

Ms. Vanuch: Thank you Ms. Knight. Anyone else? Okay, seeing no one else, I'll bring it back to the Commission and close the public hearing. Does anyone on the Commission have any questions for staff? Mr. Randall.

Mr. Randall: Brian if I could please? Again, this is for my education as being new. With the build out of the rest of the first phase I for the 50,000 foot, is it conceivable that this could be the only time this could come before us for a CUP, that this would be the only time this could come before us for a Conditional Use Permit. That this would be the only one we would see, based on whatever they decide to put in the rest of the...

Mr. Geouge: Well, the GDP did envision a fast food use, so with a drive through, associated with the fast food restaurant, there would have to be another Conditional Use Permit, if they choose to...

Mr. Randall: If they chose to use that, but this could be the only one based on whatever they decide to use for the rest of Phase I?

Mr. Geouge: It could be. Correct.

Mr. Randall: Okay, so if we wanted to make sure that that frontage road was, not frontage, but the frontage area was done right, that maybe there is a sidewalk that allowed, as Ms. Knight mentioned, you know, being able to get from the school, assuming that the inter-parcel connection doesn't exist and I'm going to make that assumption at this point, that there would need to be some way that we could get kids to this fast food restaurant, or to the school, or to the car wash to work, or wherever they needed to be, this would maybe be the only bite at the apple we would have in order to ensure that that would happen?

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Mr. Geouge: Well on the sidewalk point, there actually are proffers that require them to construct a sidewalk along with the inter-parcel connection, so that would accommodate the pedestrian connection between the uses.

Mr. Randall: Is that the entire length of the property?

Mr. Geouge: I believe so, yes. All the way to Wolverine Way.

Mr. Randall: Okay, I didn't see. That's my bad. I didn't see that in there as far as the proffer was concerned. Okay. Thank you.

Ms. Vanuch: Any other questions? Okay. Seeing none, Mr. Randall, this is in your district. What would you like to do?

Mr. Randall: In regards to Conditional Use Permit 171521112, I motion that we defer this until a meeting later to see if we can resolve in some way or shape or form the traffic issues. I'm not in good conscience being able to take the levels from an E of F in some cases and add more traffic to that without trying to mitigate that in some way. So I would motion to defer this until another meeting.

Ms. Vanuch: Okay, Dan do we need a meeting date, since...well, it's not really a public hearing. It's unfinished business.

Mr. Wisniewski: I do recommend a date.

Mr. Randall: I will be out of the country on the 9<sup>th</sup>, so I recommend the second meeting in May. I don't know what's the date for that, 23<sup>rd</sup> maybe?

Ms. Vanuch: 23<sup>rd</sup>, that sounds about right. Let me go check. Yep, May 23<sup>rd</sup>. Okay, so you're making a motion to defer to May 23. And I think our date action is July 20<sup>th</sup>, so we have plenty of time. Do we have a second?

Mr. Apicella: I'll second that.

Ms. Vanuch: Okay, so motion by Mr. Randall, second by Mr. Apicella. Mr. Randall, do you have any further comments?

Mr. Randall: Just one quick comment. We had a great discussion. I had a great discussion with the developers. I really appreciate talking to me, coming down and telling me what we had. I think car washes, the way it looks, I think it's necessary, I think it's something that we need here. The current one that we have, I don't think, meets the needs, but again, to the point that we have a traffic, a major traffic issue in this area, especially around Garrisonville Road and I think we need to do something or talk about what...something we can do to help mitigate that. So to that end is why I'm asking to defer it.

Ms. Vanuch: Mr. Apicella?

Mr. Apicella: Madam Chairman, again, I think that you might want to take a look at the conditions and see if there's any way to mitigate what I think are continuing uncertainties about how this project may be developed and specifically this specific use, so I don't think it's as tight as it could be and maybe Mr. Randall could work with the developer and/or council to see how we can get there.

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Ms. Vanuch: Okay, any other discussion. Okay. So now we can vote. Motion passes 7-0. Okay, moving on. Items 3, 4, 5 and 6 are continued to other dates that are highlighted on the agenda.

3. RC17151868; Reclassification - Dunkin' Donuts Rt17 & Melchers Drive - A proposed zoning reclassification from the R-1, Suburban Residential Zoning District to the B-2, Urban Commercial Zoning District, to allow for the development of a restaurant with a drive-through on Tax Map Parcel No. 53B-1-7 (Property), consisting of 0.2 acre. The Property is located on the north side of Warrenton Road, approximately 550 feet southeast of Solomon Drive, within the George Washington Election District. **(Time Limit: May 25, 2018) (History: February 14, 2018 Public Hearing Continued to March 14, 2018) (March 14, 2018 Public Hearing Continued to April 25, 2018)**
4. CUP17151869; Conditional Use Permit - Dunkin' Donuts Rt17 & Melchers Drive - A request for a conditional use permit (CUP) to allow a drive-through in the HC, Highway Corridor Overlay Zoning District on Tax Map Parcel Nos. 53B-1-7 and 53B-1-11 (Property), consisting of 0.83 acre. The drive-through is proposed with a restaurant use. The Property is located on the north side of Warrenton Road, approximately 500 feet southeast of Solomon Drive, within the George Washington Election District. **(Time Limit: May 25, 2018) (History: February 14, 2018 Public Hearing Continued to March 14, 2018) (March 14, 2018 Public Hearing Continued to April 25, 2018)**

UNFINISHED BUSINESS

5. RC17151715; Reclassification - Stafford Airport Industrial Park - A proposed zoning reclassification from the A-1, Agricultural Zoning District to the M-1, Light Industrial Zoning District on Tax Map Parcel Nos. 38-13 and 38-33, consisting of approximately 65.99 acres (Property). The Property is located on the south side of Ramoth Church Road and west side of Centreport Parkway, within the Hartwood Election District. **(Time Limit: July 6, 2018) (History: Deferred on March 14, 2018 to April 11, 2018) (Deferred by Applicant to April 25, 2018)**
6. CUP17151679; Conditional Use Permit - 5 Twelve Convenience Store Expansion - A request for a Conditional Use Permit to allow for the expansion of a vehicle fuel sales facility in a B-2, Urban Commercial Zoning District and HC, Highway Corridor Overlay Zoning District, on Tax Map Parcel No. 19A-1-42. The Property consists of approximately 2.47 acres, and is located on the south side of Garrisonville Road and east side of Patton Drive, within the Rock Hill election district. **(Time Limit: July 6, 2018) (History: Deferred on March 14, 2018 to April 25, 2018)**

NEW BUSINESS

NONE

Ms. Vanuch: There is no new business. Planning Director's report. Mr. Harvey.

PLANNING DIRECTOR'S REPORT

Mr. Harvey: Thank you Madam Chairman. My report consists of an update from the Board of Supervisors meetings from last week, in particular the Community and Economic Development Committee. They talked about moving forward with phase III of the cluster implementation. So it's

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anticipated that that will come up at the Board meeting with a referral to the Planning Commission, to give you some authority to do a deep dive on cluster development, to look at the regulations in total and also possibly look at the map that was adopted and make adjustments as the Commission deems fit. So that's a look forward to the future.

Ms. Vanuch: Awesome. Thank you Mr. Harvey. Sounds like a lot of work.

Mr. Harvey: That concludes my report.

**COUNTY ATTORNEY'S REPORT**

Ms. Vanuch: County Attorney's report.

Mr. Wisniewski: Madam Chairman, I have no report. Thank you.

**COMMITTEE REPORTS**

- Landscaping Standards Subcommittee  
*Final Report April 25, 2018*

Ms. Vanuch: Okay, committee reports, landscaping. Final report is on the 25<sup>th</sup>. Do you have anything you want to say today? Landscaping. Who's landscaping? You're landscaping. Who's landscaping? Who's on landscaping?

Mr. English: I'm on landscaping.

Ms. Vanuch: I thought you were.

Mr. English: Right, she's right. The final report is the 25<sup>th</sup>.

Ms. Vanuch: Oh my goodness.

- A-1 Uses Subcommittee  
*Next Meeting: April 10, 2018, at 6:30 p.m.*

Ms. Vanuch: Alright, A-1 subcommittee.

Mr. English: I know I'm on that committee.

Ms. Vanuch: Alright, so what's going on with that?

Mr. English: We met last night. We're trying to tie up a few loose ends on that and we're going to be meeting again sometime, probably the first part of May. Susan's going to try to get some things that we need to look at and some definitions and we'll have some speakers in so we can figure out some things.

Ms. Vanuch: Great.

- Cemetery Ordinance Subcommittee

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Ms. Vanuch: And Cemetery Subcommittee, you're on that one too with me. You're on all 3. We're working on the report and hopefully that's why you understand it's been a little late, because Darrell is on 15 subcommittees. Cluster Development Committee. Mr. Randall.

◆ Cluster Development Committee

*Next Meetings: April 5 and April 9, 2018, at 6:00 p.m.*

Mr. Randall: Yes. In front of all the Commissioners is the effort that we put together over the last two weeks. Mike is here to help define these for us. I'm going to turn it over to him and let him walk us through this. The expectation that we'll vote on something to be able to present for the public hearing.

Mr. Zuraf: Good evening Madam Chairman, members of the Commission. Mike Zuraf with the Planning and Zoning Department. So, yes, you received this evening and also via email the work that is the product of the cluster development committee. The cluster development committee met on April 5<sup>th</sup> and April 9<sup>th</sup>, and both of those meeting they reviewed the proposed zoning ordinance amendments and proposed comp plan amendments. Also we did go over kind of the whole phasing and where these amendments fit into the whole process. You know, this is kind of seen as phase II of the whole process. Phase I was the Board adopting a, it was the option 3 map of where cluster development areas will be permitted, and then this phase II is looking at some limited adjustments to the zoning and comprehensive plan. So just kind of reviewing the changes briefly, starting with the ordinance amendments. The...and I'm just going to hit the highlights. Starting on page 3, we did provide to you some kind of last minute changes that we discovered. The provision at the bottom of page 3 that's highlighted in yellow, that was actually adjusted under the first phase and so for consistency purposes staff is recommending that that be adjusted and that section just simply state cluster subdivision as a Conditional Use Permit use with increased density and reference to table 3.1(b) which then lists the maximum density that somebody can achieve by getting a Conditional Use Permit for a cluster subdivision.

Mr. Randall: That's on the bottom of page 3, is that correct?

Mr. Zuraf: Yes. Yes. Then moving on to the bottom of page 4. The committee did go through the table of uses and standards as it relates to open space and lot area. The table continues to the next page, but before we get to the next page, there was some time spent on open space and lot area, and so the committee was looking to increase the R-1 zoning district minimum open space requirement from 30% up to 40% of the total tract area and initially the committee had recommended that the minimum lot area increase from 8,000 to 10,000 square feet, but...staff was directed to kind of evaluate that to see if, make sure those adjustments would be appropriate, because if we made these adjustments and it didn't allow somebody to achieve the maximum density, then that would be an inappropriate change. So we did provide you an evaluation. That's page 6 of the...if we could kind of jump ahead while we're here, to that evaluation, and so I went through and did a scenario just to test those proposed minimum lot sizes and open space standards on a 100 acre property, applying the maximum density where somebody could potentially achieve 225 dwelling units from that with a 40% open space, which would of course be 40 acre open space requirement. From that you would have a remaining development area of 60 acres that somebody would have to work with. So in that, estimated the total area that those 225 lots would make up in addition to a percentage of the land which is an estimate that we've used of 15% of the total area to make up right-of-way, utility and stormwater management easements, which also wouldn't be allowed to be included in the open space, that total development area that would be needed would be 66 acres, greater than the 60 acre development area, so that would be...would not allow somebody to achieve that maximum density. So, went through options and determined a minimum lot size that would allow this to work. So, basically we would be able to make that work with a minimum lot size of 8,600 square

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feet, so under this scenario, the same scenario, you'd have a development area need of 59.42 acres, which would be under the 60% development envelope, or 60 acre development envelope. So this then would lead to an adjustment from 8,000 square feet of a minimum lot area to 8,600 square feet for a minimum lot area, because the committee also wanted us to focus on adjusting the lot area, before we did anything with the open space.

Mr. Randall: Yeah Mike, if I could just for a second. When we did the initial calculation, or the initial, yeah, calculation I guess is word, of 30%, of the original 30% and 8,000 square foot, we recognized that there was a minimum amount, or some amount of land that was not covered and either the open space requirement or the minimum lot size, and that was kind of the genesis of the changes. And to the rest of the commission, we made the decision that minimum open space is more important than lot size. That is subject to change. If the commission is interested in more lot size and open space, we definitely can look at leaving the lot size a little lower, a little higher and moving the open space down. The decision though at the commission, at the committee was to keep the open space at 40% and then adjust the lot size, which is why the lot size was what we were looking at, or what Mike went ahead and looked at.

Ms. Vanuch: And so on this though, it's 8,600 square feet. So it went up? The minimum lot size went up and so did open space.

Mr. Randall: Yes, it did go up, it just didn't go up to what we expected. I guess we didn't take any consideration the 15% off the top that we would use for easements and such and roads or driveways and those types of things. So using the 15%, the lot size did go up, but it was, but it only went up as a priority of leaving the open space at 40%. So thank you. I just needed to explain that.

Mr. Zuraf: Okay, we're moving on to the next page, page 5, the top of page 5, the additional adjustments to the table. The Committee adjusted minimum side yards, in A-1 increased the side yard from 10 feet to 20 feet. That's consistent with a conventional subdivision in A-1 and increased the side yard in R-1 from 8 feet to 10 feet, just straight with no adjustments there. And then the minimum rear yard row was added in. The table initially did not have that line item and that basically is a carryover from what was being deleted in table 3.1. So there is no change there. It's just adding this information in. Section 28-39; special regulations is a new sub-section "y" dealing with cluster subdivisions. This section makes some adjustments to basically exclude most stormwater management areas and utility and access easement areas from minimum open space calculations. The main adjustments are to sub-section (b) and (c). That's dealing with surface and underground stormwater management area. Basically the committee looked through that, and in red you can see the adjustments made by the committee. And what the main adjustment made was basically using the storm drainage easement area as a defining factor in determining where, what would be excluded from open space, because that is a known limit that is included on construction plans. It's platted out so we can define that and measure against that. And then to sub-section (d), this originally was two parts and one of the last changes the committee made was kind of combining this item, relating to utility and access easements into one item. Originally it was all focused on utility easements, the committee wanted this also addressed and include access easements that utility and access easements could be included in the open space but the area of first 50 feet would not be included in, as counting towards open space. And then beyond 50 feet, if you have a wider easement, the area beyond 50 feet, that might be utilized for a permitted open space use, that area could count towards required open space.

Mr. Randall: If I could. Commissioner Bain and McPherson, are you okay with that language as its written? Okay. Steven. Okay. Mike, you did a good job with that, because we were a little hesitant as to what that language is going to be when we left on Monday, and so, you did a good job rewriting that.

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Mr. Zuraf: And that exception it includes the access easement section. We don't have any, typically don't see any access easements beyond or wider than 50 feet, so that really wouldn't, the exception area really is then addressing utility easements greater than 50 feet. That's a quick summary of the proposed ordinance changes. And then, we have two parts of the comprehensive plan amendment. I broke it up into two parts. Many of the changes to the comprehensive plan, and this is on page 7 of the handout tonight, many of the changes addressed minor things like writing style, formatting, grammar, some of it was ensuring that the policy language was carried over from chapter 2 to chapter 3 and then make sure that references to other parts of the comprehensive plan were cited accurately. So we worked through all those details. Chapter 3 was also adjusted. There are three sections of recommendations dealing with cluster subdivision criteria.

Mr. Randall: Mike, if I could. Just to be clear, chapter 3...3.9 is a new chapter, correct?

Mr. Zuraf: Yes. Yes.

Mr. Randall: Okay and that's a new chapter and it's taking this chapter 2, goals, objectives and policies, we're moving it from chapter 2 and moving it into a new chapter 3.9, specifically referencing cluster subdivisions?

Mr. Zuraf: Correct.

Mr. Randall: Okay. Thank you.

Mr. Zuraf: Thanks for that clarification.

Mr. McPherson: Yes, and just to add to what Mr. Randall said, I think we all recognize that the use of the word continuous is what makes this chapter especially effective.

Mr. Zuraf: So, yeah, we have criteria broken in three sections. Part A is general criterial that would apply to any cluster subdivision. Part B would be referring to cluster subdivisions that are proposed inside the urban service area. And part C, criteria for cluster subdivisions outside the urban service area. And so language was modified to clarify what sections applied and somebody's submitting a cluster subdivision inside the urban service area, sections A and B will apply and if they're outside of the urban service area, sections C and A apply. So that was kind of clarified as well. The last parts, on page 10, was kind of the text that is mainly associated with the map. This was the section that the Commission had already initiated for public hearing and that's going to be at your next meeting, but the committee did look at this language and made some adjustments just to clarify the description of the map and how it was developed. And the fact that this has been advertised, staff would suggest that if the committee or the commission as a whole had any modifications to this section, it should probably wait till the public hearing, since it's been advertised. And that's a quick summary of where we are.

Ms. Vanuch: Thank you Mr. Zuraf. Does anyone on the Commission have any questions for Mr. Zuraf or any comments on the work that was done so far? So if nobody has any additional comments, do we have a motion to do anything with it? Do we want more time?

Mr. Randall: Madam Chair, I make a motion that we approve as written and move it forward to a public hearing.

Mr. McPherson: Second.

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Mr. Apicella: Just for clarification, which parts are we moving forward and which parts are we not moving forward, because I just hear Mr. Zuraf say, the last page for the map is something we want to wait on.

Mr. Zuraf: So for clarification, what you would be considering to move forward would be the ordinance amendments and then all the comprehensive plan amendments with the exception of page 10 and 11.

Mr. Apicella: Yeah, that's what I said.

Mr. Zuraf: Right.

Ms. Vanuch: Would you like to amend your motion?

Mr. Randall: I will amend my motion to say that we will approve the ordinance and the language as written page 7 through 9 and move that forward to a public hearing.

Mr. McPherson: Second again.

Ms. Vanuch: Alright, so Mr. Randall made the motion. Mr. McPherson seconded. Any comment Mr. Randall?

Mr. Randall: No, just to thank those who worked with me on the committee to get this done. We were able to move it through fairly quickly and staff for their efforts to help us as well. Thank you.

Ms. Vanuch: Mr. McPherson? Okay. Anyone else? Okay, and I'll just say very quickly, because I know we want to get out of here, thank you guys to the commission. First of all, you guys were three newbies and you did so awesome. You guys really took this ordinance, you got it done quickly, you worked with staff, staff was very, very helpful in this process as well and so thank you guys for working so diligently to get us something that we didn't really have to mark up tonight, and that's really great. And so, anyway, that's all I wanted to say. We have a motion on the floor. We can vote now. Motion passes 7-0. Okay, so... Chairman's report? I have none.

CHAIRMAN'S REPORT

None

OTHER BUSINESS

7. TRC Information - April 25, 2018
  - McWhirt Loop Convenience CTR Firestone - Hartwood Election District

Ms. Vanuch: Other business, TRC. I think Mr. English... Commissioner English, you have one in your district. Approval of minutes, we have none. I'll just make a quick note, in case anyone's listening at home. Staff is working on the minutes and so there's been a little bit of a delay just because of staff overload and the amount of minutes that are kind of in the docket waiting. So they'll get to us as soon as possible and this meeting is adjourned.

APPROVAL OF MINUTES

None

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ADJOURNMENT

With no further business to discuss, the meeting was adjourned at 8:53 p.m.