

STAFFORD COUNTY PLANNING COMMISSION

July 10, 2019

The meeting of the Stafford County Planning Commission of Wednesday, July 10, 2019, was called to order at 6:30 p.m. by Chairman Crystal Vanuch in the Board of Supervisors Chambers of the George L. Gordon, Jr., Government Center.

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

MEMBERS ABSENT: Steven Apicella

STAFF PRESENT: Jeff Harvey, Lauren Lucian, Denise Knighting, Mike Zuraf, Brian Geouge, Kathy Baker, Eva Campbell

DECLARATIONS OF DISQUALIFICATION

Ms. Vanuch: Please let the record state that Mr. Apicella is out this evening. Does any member of the Commission have any declarations of disqualification or disclosure on any of the items on the agenda this evening?

Mr. Bain: Yes, Madam Chairman. I would like to let it be known that I did have a meeting with the applicant on the Vistas at Ferry Farm and his engineer.

Ms. Vanuch: Fantastic. Anybody want to make any changes to the agenda this evening?

Mr. McPherson: Madam Chair, I move that we move item 7, the Proposed Ordinance O19-37 regarding apiaries in the R-1 Zoning District to item 1 since we are having a public presentation, and I think it makes more sense.

Ms. Vanuch: Okay, fantastic. Do we have a second?

Mr. English: I will, I'll second it.

Ms. Vanuch: Okay, any discussion gentlemen? Alright, go ahead and vote for the agenda change. Tally the vote. Motion carries 6-0 with 1 absent. Now we're going to move on to our Public Presentations portion of this evening's meeting and, Ms. Baker, do you want to give us a summary on the presenters that we have for the public presentations?

PUBLIC PRESENTATIONS

Apiaries Presentations by Jerry Mattiaccio of Rock Hill Honeybee Farms and Martha Kiene, President, Virginia State Beekeepers Association and Vice President, Northern Virginia Beekeepers Association

7. Amendment to Zoning Ordinance - Proposed Ordinance O19-37

Ms. Baker: Good evening Madam Chair, members of the Commission. Do you all want me to give you a little background for the public's information first on what the issue is at hand?

Ms. Vanuch: I think so because I think the media was very interested in this idea...

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Ms. Baker: Okay.

Ms. Vanuch: ... so, I think that would be helpful.

Ms. Baker: Okay, yes, I'll do that and then we'll introduce our speakers. This item is regarding apiaries and the Planning Commission is to consider amendments to our Zoning Ordinance to allow for the keeping of honeybees, which I'll refer to as apiaries, within the R-1, Suburban Residential Zoning District. And this item has been referred by the Board of Supervisors and it's based on citizen requests as the interest in beekeeping does continue to grow. Currently, apiaries are permitted in the A-1, Agricultural and A-2, Rural Residential Zoning Districts, and the Zoning Ordinance includes apiaries in the definition of agricultural operations. And the proposed ordinance would actually permit apiaries in the R-1 District, which is the Suburban Residential District, which generally equates to minimum lot size of a quarter acre lot. So, the intent of the proposed ordinance is to help channel the direction of bees and provide suitable distance to neighbors as a means to avoid any nuisance or interaction. This would be addressed through performance standards specified in the ordinance. We have other localities that have similar ordinances and the proposed ordinance is most similar, we've crafted it after Prince William County's Ordinance. And in your Planning Commission package is a chart in Attachment 3 that describes other peer localities and how they handle this issue. So, the proposed ordinance would limit the keeping of honeybees to 4 beehives and this is, again, in the R-1 District, but would be permitted... you would have more for lots greater than 10,000 square feet. And that would equate to one additional hive per 2,500 square feet of lot area. There would also be a convenient water source for the bees on site within 50 feet of the hive so that the bees would not congregate at nearby swimming pools or birdbaths, for example, or other water sources. And then lastly, a 6-foot fence would be required if the landing platform of a hive faces a property line and is within 10 feet of that property line. So, as you know, the Planning Commission has received this; you all need to authorize a public hearing by August 14th in order to schedule this for September 11th public hearing. So, you do have time to discuss this this evening and at your next meeting. So tonight, we do have two experts on beekeeping who can discuss this further and can answer questions that you all may have or other questions that have come up regarding this issue. And I'm going to not pronounce the name properly, but Jerry Mattiaccio of the Rock Hill Honeybee Farms is here first, and Martha Kiene, who's President of the Virginia State Beekeepers Association and she's also Vice President of the Northern Virginia Beekeepers Association. So, with that, I can answer questions or we can go straight to them.

Ms. Vanuch: I think we can go straight to them and, I don't know, did Martha want to go first? Did you have anything prepared?

Ms. Kiene: Actually I have a presentation prepared, but I think we'll probably not do that so I can just speak.

Ms. Vanuch: Okay, that's fine. Come on up and then we'll bring up Jerry afterwards.

Ms. Kiene: Good evening, thank you for having me, thank you for inviting me. I am the President of the Virginia State Beekeepers Association. This is my second term as President. I have been Vice President of the Northern Virginia Beekeepers Association for several years. I'm the outreach coordinator for Virginia State Beekeepers Association. I do a lot of speaking, a lot of talk about bees. I am obviously a huge advocate of bees. I've been a beekeeper since 2008. There are some people who have been here obviously a lot longer. I live in Springfield, Virginia. I have bees. I am a backyard beekeeper. We have several hundred -- I think 350 -- beekeepers registered in our club in Northern Virginia. To my knowledge, we haven't really had any issues with bees and neighbors. The restriction is up to 4 beehives per ¼ acre. So, it is restricted in our... in our communities. If you have larger

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acreage, then you can have more bees proportionally. There's not a whole lot more than ½-acre lots in Northern Virginia though where we are. The key to successful beekeeping is those best management practices. Last year Virginia State passed a law that protects beekeepers in the state, in the Commonwealth, because people were threatening to sue and doing things like that. And what they said was that if you're doing the best management practices, if you're keeping your bees non-negligently, you're providing that water source, you're keeping good equipment, you're keeping healthy bees, you're preventing swarms, you're putting your bees behind a barrier, you're keeping them away from property lines, things like that, those are best management practices that you shouldn't have a problem with honeybees. And to the most extent, we do not. I think we've had one issue where bees were getting into somebody's hot tub, and the beekeeper took many, many steps to stop the bees from getting there and eventually it was resolved. So, that's the only, in the last 3 or 4 years I've ever heard of anything going on as far as problems with neighbors. We're very closely aligned with the DC Beekeepers. They have 200 registered beekeepers in Washington, DC. Obviously very, very close; very, very urban. No issues at all with them. They have a very serious and very aggressive outreach with the community and with the folks that have... could possibly have issues. The... one of the things that Kathy had asked me to address was deaths in the United States due to bees. And the statistics are not very clear, because they will (inaudible) honeybees in with wasps, with hornets, with yellow jackets, which are actually the worse, and with ants because people also die of ants... ant bites. But, so, just comparatively, they say 60 to 80 deaths in the United States are caused by venomous insects; that's the category. And just to give you a comparison, that's about 1.4 deaths per 10 million people in the United States. And I'll compare that with 1.7 deaths due to farm animals. So, cows and horses actually kill more people than all the bees. And then the third one is dogs. Dogs kill 0.8 people per hundred... or per 10 million. So that just shows you the level of the worst thing that could happen. And again, it's honeybees are not really known to be... they're herbivores, they're not carnivores. The wasps and the hornets are carnivores. They want to sting people because they're predators. The herbivores, the honeybees are about the flowers and about the pollen and the nectar, and that's what they go about. The biggest thing that you can do, or we can do, is swarm control. And that's (a) that's good beekeeping practices, and (c) is having a really good swarm hotline. We have one in Northern Virginia. People will call the hotline, send us, and we'll have a beekeeper there in less than an hour to grab the swarms. So, that is... I know in DC that is a huge concern for them.

Mr. English: A question for you. When you say swarms, how many are you talking about swarm?

Ms. Kiene: So, swarming is a natural... it is how bees reproduce. We have babies, they (inaudible) in half. So they take... so what will happen is the queen is forced out of the hive without about half of the bees. And they'll go to a site and then they'll wait, they send scouts out, and then they try to... they look for a good spot. Whether it's a barbeque, whether it's a, you know, an old tree, wherever it could go. So, you're going to see possibly a ball of bees about this big, or it could be a little bit bigger, could be a little bit smaller; depends on how large the hive is inside. But you have about half the population. Bees do swarm, unless the beekeeper can be very aggressive about splitting, and we do that by re-queening every year, re-queening every two years. If the populations are getting heavy, we make sure we make splits and we give those to another beekeeper. So, if you can be aggressive about... and that's one of the management practices is replace your queen, because an older queen will probably swarm. So, if you can be aggressive about that, we can... there's lot of steps you can take and we do take, because you don't want your bees to swarm because that's money going down the drain. I'm open for any questions.

Ms. Vanuch: I don't... do you have questions?

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Mr. English: Yeah. When you say a barrier, they said a 6-foot fence, does that really stop them from going?

Ms. Kiene: It does and I'll tell you why. It's because when bees come out, they make a beeline out of the hive. And if you've got a fence out there, they have to go up and over the fence, and that's how they... that's their flight line. And so they'll go up and over, so the chances of them hitting anyone on a sidewalk or, you know, going into a playground or something, so they go up and that's their flight path. And then same thing coming down; that would be their flight path. So it keeps them off of our level.

Mr. English: Okay. And one other question. You said DC has a lot. What about the businesses? Do they have like rooftop bees...

Ms. Kiene: They do.

Mr. English: ... in businesses, and then how is it... is it actually accessible? Do they have any issues with that?

Ms. Kiene: No. So, we have many rooftop beekeepers. A lot of the hotels are... that's the fashion and the new fad is to have your own honey. And it's very successful. And again, the bees are going up... well, actually they're going down in this case... but they don't spend a lot of time intermixing with people. And they, you know, they'll forage on. They can forage up to 3 miles away. So, they leave their hive and they go up to 3 miles away to forage and collect the nectar and the pollen that they're searching for.

Mr. English: So there's no... they have no big issues in the city as far as the businesses having them then?

Ms. Kiene: Nope.

Mr. English: Alright, that's good to know. Thank you.

Mr. Boswell: Madam Chair, I have one.

Ms. Vanuch: You have a question? Go ahead.

Mr. Boswell: You mentioned that you're registered with the state to do this?

Ms. Kiene: Mm-hmm.

Mr. Boswell: What does that entail? What is that process?

Ms. Kiene: It's just doing an online application to say I have my hives in... I have 4 hives in Springfield, Virginia, at this location.

Mr. Boswell: Now do they... during that process, do they do any kind of check to see what you're zoned or if, you know, whether the locality allows that or is there...

Ms. Kiene: Not to my knowledge, no.

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Mr. Boswell: I guess my question would be is do we really... do we need a zoning change for people to keep these bees? Or I'm just wondering if maybe we might be doing something we don't need to do.

Ms. Kiene: Well, Virginia allows... the Commonwealth allows it. And it's basically it's if a place or a jurisdiction prohibits it. So, like an HOA can prohibit beekeeping.

Mr. Boswell: Right. Well, I understand that. But I mean should a locality be involved in regulating. I understand HOAs can do a lot of things in their subdivisions, but you say you're in Springfield so say, Springfield, Virginia, do they have any local regulations that govern you?

Ms. Kiene: No, Fairfax County is what we fall under.

Mr. Boswell: So, Fairfax has nothing. If I've got a quarter-acre lot, I can put 3 hives on it and nobody can tell me not to.

Ms. Kiene: Right.

Mr. English: And businesses also in Springfield? I mean in Fairfax?

Ms. Kiene: Yes.

Mr. English: Okay. So, in your opinion, do you feel that the County...

Mr. Boswell: Do we need to do this?

Mr. English: Do you feel that we need to go to that step to do something like this? Your opinion.

Mr. Boswell: Yes.

Mr. English: Just your opinion.

Ms. Kiene: My opinion would be that, if you're following the law already, if the law is given by a greater jurisdiction, then I won't think you would need it. And that's my opinion.

Mr. Boswell: *Inaudible - microphone not on.*

Ms. Kiene: I wouldn't think so.

Ms. Vanuch: Alright, Mr. Bain, I know you had a question and then we'll bring Jerry up.

Mr. Bain: Oh, okay. I'm just... I had a bad experience as a child. Mowing a lawn I hit a structure that was a bumblebee nest. Got stung several times. I'm just wondering with these hives, is there anything that can irritate the bees and cause them to become agitated and fly out and do damage, do harm? You know, lawn mowing or tree falling down. So, are those concerns or can they be corralled easily, excuse me, if they are agitated?

Ms. Kiene: So, I mean, I mow my lawn right in front of my hives and it's no issue. But I will tell you I do it quickly, right, and a lot of noises will sometimes bother them. The one of the things we do is we keep gentle bees. And if we had... and just the ethical beekeeping is if you have an aggressive hive, for whatever reason, we just don't keep them. We can't. You know, if you own an orchard, you can. So, I

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mean, if a tree falls down... so, the bees will always want to protect the queen, right. So, if a tree were to fall down and say it's a hollow tree, initially there would be a dust-up but then they would go back to the queen. They would, you know, put out the scent and they would come back to the queen. They say that the worst thing for bees is teenage boys, because they'll throw rocks and things like that. So that is a... something that we would like to... that's why we put them behind fences. Right so you can't see them.

Ms. Vanuch: Mr. McPherson you had a question.

Mr. McPherson: Yes, I just have one question. So if somebody has four apiaries or more, when you have all these bees, does that affect any other life in your yard whether it be butterflies... anything?

Ms. Kiene: No, in fact...

Mr. McPherson: ... birds? Do they eat mosquitoes?

Ms. Keine: They don't eat mosquitoes.

Ms. Vanuch: Fillmore was about to get some bees.

Ms. Keine: NO, no they don't. What it does it brings wildlife because you've created an ecosystem. Because birds are gonna eat the bees and you're gonna sometimes you'll see the praying mantises on your hives and so they'll snatch a bee to eat them. And so you actually are improving the ecosystem in your community and you're increasing the pollination obviously that's happening, you know, for three miles around.

Mr. McPherson: Right.

Ms. Keine: So, you know, the roses will be nicer the, clover will be better your Echinacea will be... and then and then the one thing I want it did wanted to say is as a local beekeeper, and I'm an LLC so I'm very small and making 100 pounds of honey. So the law says you can make so much, but now I pay taxes too. So that's kind of a nice thing, I mean if I make splits and sell them to you as the new beekeeper, I pay taxes on that money. So it's a revenue generating, so it's I mean that's kind of nice too in four of these.

Mr. McPherson: Okay, so there's no adverse effect on other wildlife?

Ms. Keine: No, no.

Mr. McPherson: It doesn't bring in more Hornets or wasps?

Ms. Keine: No.

Mr. McPherson: Okay, thank you.

Ms. Vanuch: Okay Mr. Mattiaccio, I know I just butchered your last name. And while you're walking up I'll let everybody know he was kind enough to invite me to his bee farm out in the Rock Hill District, which is where I live and represent. And I asked him to bring one of those boxes and I'm sure you'll be able to talk a little bit about that in our visit and kind of what you shared with me.

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Mr. Mattiaccio: Thank you, and thank you for having me out here and inviting me this evening. Just to give you a bit of background I started in 2011 with one colony I now have a thousand, all right. And to give you an idea of I am obviously in this to... for business, my bees travel from the middle of Florida to Bakersfield California in January then about three weeks later they come back to Florida and go into the orange groves, produce some orange blossom honey. Then they come up to northern Florida to make gallberry honey and comb honey and then they'll come up here to Charlottesville to pollinate apples. Shenandoah to pollinate apples, peaches, pears, then on their way to Pennsylvania to do the same to New York to do the same after that then to Maine for blueberries. Wine's blueberries is one of our larger customers up there and then to Massachusetts for cranberry pollination then out to Ohio for their final pollination, where they late-September will then go back down to Florida and we rehabbed these colonies in counties that are not performing or not doing well need to be re-queen or medicated or treated or fed, we take care of all that when we get them back down to Florida. A couple of points here, I think my predecessor talked about fences and I think maybe you were thinking about a chain-link fence perhaps? No, okay. Because generally if you have a solid fence here, that's exactly what's going to happen, the bees are going to go over the top and they're going to fly away. There's a... this is what is called a standard langstroth colony box, okay. It holds 10 frames of brood bees, honey. Most commercial people run 9 to allow for expansion and they'll double this up. So there'll be 2 of these boxes on a colony. So you figure that if you're going to have 4 colonies, you're gonna have 8 boxes like this. One thing that wasn't mentioned in your in your addendum that I think is worth mentioning is the fact that in some locations some beekeepers want to make, what we sarcastically refer to in commercial beekeeping as sky scraper colonies. Now if you got 1 box here imagine you've got 8 or 9 boxes stacked that high, and then imagine you've got four colonies that are like that. That's a lot of bees; it's a lot of bees. In my experience what happens with those, a strong wind comes along knocks them down now you've got a potential hazard. So I don't know whether or not something could be placed in the addendum to indicate that the colonies can only be 2 boxes high or what have you, to prevent that sort of thing.

Ms. Vanuch: And really quickly because I know we talked about this, so you told me that 1 colony is typically 2 boxes.

Mr. Mattiaccio: Correct.

Ms. Vanuch: So we're technically allowing 8 of those boxes by allowing 4 colonies.

Mr. Mattiaccio: Correct.

Ms. Vanuch: But then you said if they do sky high colonies they could call it 1 colony...

Mr. Mattiaccio: Right, if it's 8 high.

Ms. Vanuch: ... essentially and it could be 8 high or 10 high maybe.

Mr. Mattiaccio: It could be 10 high. I've seen people have ratchet strap colonies like that and the wind still knocks them down. It's not gonna... that's not going to stop it.

Ms. Vanuch: Mr. Randall, did you have a quick question?

Mr. Randall: I do have a quick question. We raised bees growing up and so I'm somewhat familiar..

Mr. Mattiaccio: Great.

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Mr. Randall: We had... we did it in Wisconsin by the way.

Mr. Mattiaccio: Good place.

Mr. Randall: Yeah, it's a great place. Do you separate your bees from the honey? Do you... we had... we would sometimes go 3 or 4 high. We would separate the queen from this top 2 so we could just get honey in the top 2...

Mr. Mattiaccio: Correct.

Mr. Randall: ... and didn't have to worry about them. Do you do that? Do you do that as a matter of course?

Mr. Mattiaccio: Yes, when we're on a honey production I'll put a queen excluder down...

Mr. Randall: Yep.

Mr. Mattiaccio: ... and then we'll put a DI... we used to use the mediums which is half the size of this.

Mr. Randall: Yep.

Mr. Mattiaccio: But I've got some 19-20 year olds with strong backs, they can lift this up...

Mr. Randall: My dad had... my dad had plenty of those.

Mr. Mattiaccio: Yeah, that's right.

Mr. Randall: He did not have to worry about that.

Mr. Mattiaccio: My dad did too, how about that?

Mr. Randall: Exactly.

Mr. Mattiaccio: But, so I mean on average it'll be 60 to 70 pounds...

Mr. Randall: For sure.

Mr. Mattiaccio: ... when it's filled with honey.

Mr. Randall: For sure.

Mr. Mattiaccio: So it can it can be quite heavy.

Mr. Randall: Okay, so what we're talking about is if the queen can get up to the other hives and they'll lay eggs up there...

Mr. Mattiaccio: Right.

Mr. Randall: ... so you can put a queen excluder in there so that the colony can get to the top 2 or 3 or top 1 and that's just strictly honey then and then the bees are reproducing down and lower...

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Mr. Mattiaccio: Right, and I would love to be able to get 10 boxes of honey somewhere but I'd...

Mr. Randall: Well no...

Mr. Mattiaccio: ... but I don't think that is going to happen.

Mr. Randall: For sure, for sure. Okay. Thank you.

Mr. Mattiaccio: The other thing that, I mean, I... because I'm in business I'm constantly getting educated somewhere on bees. Now whether it's Virginia Tech, whether it's University of Florida, whether it's University of Iowa, from ... I want to take a trip somewhere and I go to some class that's beekeeper related, I don't, I don't know whether you can legislate it. Maybe you can maybe you can't. But if there's some way to indicate that, you know, people need to have some education to do this that would be great. You would be surprised at the number of calls I field about well my bees are doing this or my bees are going near pool what can I do to avoid that? The fact that matters are bees are very attracted to chlorinated water and there's very little to nothing that you can do...

Ms. Vanuch: Yeah.

Mr. Mattiaccio: ... to keep them from coming over to your pool.

Ms. Vanuch: I have a pool and I know that.

Mr. Randall: So to answer the question, we talked about an adequate water support. So what would you for 4 colonies that are for the sake of talking about it, that are 2 high. What would you consider an adequate water source?

Mr. Mattiaccio: A couple of buckets, 5 gallon buckets with stones in them filled up with water and constantly replenished.

Mr. Randall: Okay.

Mr. Mattiaccio: Should be sufficient.

Mr. Randall: Should be sufficient. We had a swimming pool and so it was a common place to step on bees while they were feeding...

Mr. Mattiaccio: Yep.

Mr. Randall: ... or drinking.

Mr. Mattiaccio: They are just attracted to the chlorinated water. It is crazy and just kind of gee-wiz info, I always get asked about Africanized bees especially since my bees are in Florida. We go through multiple inspections. When I go to California, I go through four inspections between Florida and California. If I fail any one of those inspections, I don't make money out in California and that's my big money crop at 250 a colony this year, for every colony that we rent for 3 weeks out there in California. But the one thing I'm always asked about, Africanized honey bees; how do you know your bees are not Africanized? Well, we do get inspected and, you know, if you're a beekeeper you will know if your bees are Africanized or not. Virginia's had one incident of Africanized honeybees and that was in the south or southwest portion of the state, believed have come in on a train that came out of Florida. They

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hopped a ride on the train and then hopped off there and that's where the colony was identified. They didn't Uber, no. Not unless the Uber is training.

Ms. Vanuch: So, I guess my question would be, how ... so you're commercial so you go through inspections. But if we're talking about expanding this to R-1 and R-2 residential land with just minimum setbacks, I can just see, you know, a next door neighbor wanting to do beekeeping and not knowing any of this and I learned so much when I was at your place about you when you showed me a colony that needed to be split and you had waited so you could show me what that looks like. What if they don't know that then they swarm off and that could be a risk so, I like your aspect of education. I don't know if we can do that, but we can definitely look at it. But there's no inspections or anything like that. So, I can just...

Mr. Mattiaccio: Ma'am, the state will come on, I mean it's pretty much a given that the state bee inspector can come onto your property with or without your permission.

Ms. Vanuch: If you have it registered though.

Mr. Mattiaccio: Whether they are registered or not, they can... they can walk on as a safety measure.

Ms. Vanuch: Okay.

Mr. Mattiaccio: If a neighbor complains they can come onto your property and check the bees to make sure that they are healthy bees, that they are not aggressive and...

Ms. Vanuch: Okay.

Mr. Mattiaccio: ... then if they can ask you to take appropriate measures to get things back under control. The state is very involved with a variety of bee inspectors throughout the Commonwealth...

Ms. Vanuch: Okay.

Mr. Mattiaccio: ... to come out and check your bees and come right onto your property anytime, as a safety matter, as a public safety matter, they can come on to inspect you at any time.

Ms. Vanuch: And then my last question for you and then I'll turn it over to the group and see if they have any. We had mentioned a setback requirement and the in the drafted ordinance it's 10 feet and I think we had talked a little bit about 30 to 50 you showed me a couple of distances...

Mr. Mattiaccio: Correct.

Ms. Vanuch: ... and as I was standing there I saw some bees kind of going in and out you know that we were at least 50 - 60 feet away from. What, in your opinion, do you think we should do?

Mr. Mattiaccio: I think the closer to 30 feet from structures would be best.

Ms. Vanuch: Okay, does anybody else have any questions?

Mr. English: I've got one question.

Ms. Vanuch: Okay.

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Mr. English: One question, I asked here and now I'm gonna ask you. In your opinion, do we really need to regulate as far as the County's concerned?

Mr. Mattiaccio: I believe if other counties have done this and it's clearly...

Mr. English: In your opinion, just your opinion.

Mr. Mattiaccio: Right, I believe that we do.

Mr. English: We do.

Mr. Mattiaccio: We do need to have it spelled out so that if... if nothing else then beekeepers can be protected, homeowners can be protected...

Mr. English: Okay.

Mr. Mattiaccio: ... and the like. I don't know if there's any indication that you're gonna authorize this for townhouses or anything like that, but perhaps some notification to neighbors if that were the case that, some notification neighbors to say hey I'm going to put... install a colony of bees here just in case somebody says hey, my daughter is deathly allergic or what have you, to take that into consideration.

Mr. English: Okay, thank you.

Ms. Vanuch: Anybody else?

Mr. McPherson: Yeah, I have one quick question for you.

Ms. Vanuch: Mr. McPherson.

Mr. McPherson: I was reading an article just recently about as you're aware the mites have been an issue with bees.

Mr. Mattiaccio: Yes.

Mr. McPherson: And a study was recently done, I want to say was in England but I'm not sure, that one way to prevent the... one way that mites get from hive to hive is if your hives are all... or the boxes are all clustered together, they're the same height, they look exactly the same, the bees will often go into the hive that's not theirs and if they have mites they've just transferred those mites to the new hive. One way to solve that, per the study, was to make them slightly different heights, different colors, the entrances facing in different directions. Again, in your opinion would that be something to maybe put in an ordinance or to educate people, if you heard of that study, as a way to keep mites from spreading?

Mr. Mattiaccio: I have heard of that study and I can tell you that we run colonies 6 to a pallet, 6 colonies on a pallet. And you know, I've not seen where this box has a multitude of mites and then transfers over to the next box and you know and infects that colony per se. But, you know, we also very aggressively treat for mites and we have to. I mean it's our... it's our bread and butter, I mean, so we don't really have a choice. So our objective is to keep those mite counts very low, and you know, changing the colors on the box that's not... a mite will be looking at it like well... you know they're not it's not really gonna do anything.

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Mr. McPherson: Okay, so you think that study might...

Mr. Mattiaccio: Treatment for the mites is the best defense that we have right now.

Mr. McPherson: Okay, thank you.

Ms. Vanuch: Go ahead Mr. Randall.

Mr. Randall: One quick question. Do you think R-1 houses are, you know, 10 feet apart, they're on a 6,500 or 7,000 square-foot lot. Do you think 4 is too many? Do you... I see 4 here listed several times, I see 4, you know, we had 2... we had... we had more honey than we could ever use as a family. We were giving it away. I don't know why we would need to go to 4. Do you see a reason why we would need to stay at 4 as a maximum or why there...?

Mr. Mattiaccio: No, we always encourage, especially new people to have 2 colonies. This way if you got 1 colony that's doing something you've got another to compare it to.

Mr. Randall: Right.

Mr. Mattiaccio: But I don't think there's any magic minimum this is you need to have 4 I mean I think 2 is a decent number if you're a hobbyist, especially if you're just starting up and you don't have a whole lot of education. You know, you get 4 you're just gonna multiply your financial losses, if you lose them.

Mr. Randall: Okay, alright. Thank you.

Ms. Vanuch: Alright we're good to go. Thank you so much for taking the time.

Mr. Mattiaccio: Thank you, I appreciate it.

Ms. Vanuch: I hope I'm not putting this gentleman on the spot but I'm aware that you're here, Mr. Clay Oliver. Can you come... you want to come up and say anything? Okay, yep and I believe you speak with the state a lot too, right? Okay.

Mr. Church: Good evening and thanks for an opportunity to talk to you a little bit, a little bit about my background, I grew up in a beekeeping family all the way around. I went in the Navy and...

Ms. Vanuch: Can you just state your name for the record?

Mr. Church: Mike Church, King George, Virginia.

Ms. Vanuch: Perfect.

Mr. Church: So, I went in the Navy and we didn't do a lot of beekeeping on ships if you can guess. Came back to King George and re-started I think in 2002, so whatever that is, 17 years or so that I've been keeping it with the... and I found out that the beekeeping world had changed, right, because of the rival of the Tracheal mite and the Varro mite, and so spent the next several years learning about this. Worked very hard, I do speak a lot in the state, I was in 2014 I was awarded the Reverend Langstroth Award. Previously it was the Virginia State Beekeeper of the Year award. So I've had as many as a 160 colonies, a lot of them were the small nucleus colonies. But you know the... my experience has been with the... with the small, the rural... I mean the residential area beekeepers. Very key to them as their

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connection and their involvement with the local beekeeping group, ours I started Gateway Beekeepers in 2008 and then went down the Northern Neck in 2009 and started Northern Neck Beekeepers and been involved with those, been their mentor since then. And the closer that a new beekeeper is associated with that group with the monthly meetings, the training that happens every month in both of those groups, the student we have classes every year on basic beekeeping and other things beekeeping related. But they're assigned an experienced mentor as part of their class, they get a mentor that they put on speed-dial as they go through this beekeeping learn process for them to call. We've had hives on as you know as little as an eighth of an acre without problems. A matter of fact, the singular issue we had in King George and we went through this very same process, the singular issue that we had as we could find the details is the neighbor had been keeping bees in a residential section for years. For some reason their children aggravated or got on the nerves of the neighbor, the neighbor couldn't do anything about it so they knew that the housing association didn't allow bees, so called that in and so we started this process based on the one complaint. We did that, I think that was in three years ago and we've had no issues whatsoever and the state apiarist, Keith Tignor, was, you know, was on the outskirts (inaudible), he was kind of advising us how we want to, how we went through. There's a ... in King George County now you, in order to have hives in a residential section you've got to make an application. The county sends a person to inspect where you're going to have your hives, then they'll issue the permit. You'll get your bees, you know, put your hives in their maximum for 25,000 square feet is 4 hives as well. Right on a lot that size. There is a list of best management practices that are attached to that application, this applies, I think, to several locations not just King George that area itself but there's the list of best management practices that that are followed and are very... beekeepers are like everybody else you know they... you know the folks that love Chevy's and hate the people who like Fords, right. So beekeepers all... we all have our ideas and experiences and based on that that's how we do management. But the state has consolidated list, it's pretty close to correct. The umm... we were talking a little earlier about the barrier, the fence doesn't have to be as far as Virginia state is concerned doesn't have to be a wooden fence it can be shrubbery of some kind just something to get to bees flat line up and away from them. If the beekeeper in the residential section has... is following those best management practices and are on a current... on a constant learning, in a constant learning environment there is minimal risk to having bees inside their residential areas. We've had none I'm aware of any... unaware of any that are some of the other locations that I've helped work with and it is, you know, something that certainly can be done and it's can be safe but it like everything else like driving a vehicle, owning... having a dog and your place anything else it's tied directly to the individual that's working this and if they are trying even minimally if they're trying to do the right things then this is generally a non-issue, not at all.

Ms. Vanuch: Okay.

Mr. Church: The biggest problem we have is, you know the folks that don't know a lot about beekeeping and they remember the 70s and 80s movies called *The Swarm* and *The Killer Bees* and that's pretty much what they know right, because that was the end of it and they've not pursued that and what we try to do is a lot of outreach and do some education in the fact that honey bees, you know, the reason... the singular reason they stay with us as we provide a good home, they will leave if they are overstressed in those boxes they fly away and you know find a another place to go so they are not domesticated animals by any means. Earlier you talked about is there a way to control them or recapture them and you know if the swarm is settled it's rather easy as long as you can get to it. But otherwise we really don't have a lot of control on them once the they come out of that box, you know, they go wherever they think is best for their, you know, for their health and support.

Ms. Vanuch: Okay.

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Mr. Church: But, all tied down to education of the beekeeper and how well they apply these best management practices and talk. I want to talk a little bit about skyscraper boxes.

Ms. Vanuch: I think, I think we've talked about that and we have several public hearings this evening so this has been really, really helpful. Does anybody have any questions for him? Okay, fantastic. Alright, great. So, just for the purposes of the public and understanding kind of where we're going next, these were just experts that we had asked to join us this evening to kind of help us understand if we need to make any changes to the draft ordinance in front of us. Which we'll be talking about as item number 1, but before we do that we have to open up public presentations for the public if anybody would like to come down and speak about any item that's not on the agenda for a public hearing they have three minutes to come address the Planning Commission. I will remind everyone that they need to state their name, address and the district that they reside when they come to the podium. When the green light comes on you'll have three minutes, when the red light comes on please conclude your comment. And this is also not a public hearing for beekeeping, we will have an opportunity for a public hearing once we authorize one. This was really just so we didn't make any mistakes and advertise an ordinance that could be detrimental to the bee community and then we're gonna talk about it, more than likely we won't be making any changes tonight. We'll be making those changes at our August meeting and then authorizing it for public hearing then, taking the feedback that we've received from some of the experts. So this is not a public hearing for beekeeping. So, I just want to make sure everyone understands that. But you can come down to the podium and address us for three minutes on anything outside of our public hearing items tonight. Anybody want to come down and address the Planning Commission? Okay, seeing no one come down I'm going to close out the public presentations portion of tonight's meeting and move item number 1 which is now part of the new business which is bee apiaries and this for this we're are going recognize Ms. Kathy Baker. Do you want to come on up and just... I know we already kind of got the background on the ordinance but maybe we could just kind of talk through what we would like to do with it, with you.

Ms. Baker: Okay.

Ms. Vanuch: Does that sound good to everybody? Yeah, alright. Does the Commission have a feeling on what we'd like to do with this item?

Mr. English: I would like, before we did anything, I'd like to see what... since King George must have an ordinance, I'd like to see what theirs is.

Ms. Baker: Okay.

Mr. English: Because it sounds like they've got a pretty decent ordinance, so I would like to review that first.

Ms. Vanuch: Okay. Mr. McPherson?

Mr. McPherson: I did have a couple questions of recommended changes, but if you think we should be talking about that at the August meeting we can wait until then.

Ms. Vanuch: I think because we got so much information, what we could do is all send our comments to Ms. Baker and then she can pull the King George ordinance, send it to us and then in August we'll kind of go through the ordinance and make the edits if that's okay with everybody. And then we would send that one and one of the questions I had if we could find out if we can do any types of requirements on training classes or any type of certification that they might have to have because it sounds like for

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new beekeepers which I would imagine they'd be new beekeepers in the in the R-1 zone, would they be... would we be allowed to enforce anything like that? And then, I think that was it. Anybody else?

Mr. Randall: I would just like to look at whether we really need 4, is 4 really...

Ms. Vanuch: Two versus 4, okay. And then limiting language around stacking perhaps?

Mr. Randall: Yeah, I would say in that... right, no more than maybe 3. We never went to 4, we... sometimes in the middle of summer we would go to 4. But yeah, nowhere would they need to go higher than 4.

Ms. Vanuch: And then is there any appetite to change this to the B-1 or B-2 business areas? Because right now just so everybody understands, we allow unrestricted beekeeping, completely unrestricted in the A-1 and A-2 land. The purpose of this ordinance is to expand it outside of A-1 and A-2 land. So...

Mr. Boswell: You want to add B-1 and B-2?

Ms. Vanuch: I'm just saying we should look and I think a couple people commented that they... that was an adequate place to do it as well. I'm not saying we have to do it, I think just looking at do other localities do it and what does that look like.

Mr. Boswell: *Inaudible, microphone not on.*

Ms. Vanuch: So I think that's... that will give us a good start and then in August we can make the changes and then authorize it for public hearing. Everybody good with that? Do we need to take a vote on that Ms. Lucian? Do we need to take a vote on that direction to Ms. Baker?

Ms. Lucian: I don't think that is necessary.

Ms. Vanuch: Okay, fantastic. Well thank you, that was easy alright. Okay, so now moving on to the public hearings for this evening. We will see item number 1 and 2 on the agenda as printed and for this we're gonna recognize Mr. Mike Zuraf.

PUBLIC HEARINGS

1. RC18152428; Reclassification - Vistas at Ferry Farm - A proposed reclassification, with proffers, from the A-1, Agricultural Zoning District to the R-5, Age-Restricted Housing Zoning District to allow for the development of up to 170 age-restricted multi-family dwelling units on Tax Map Parcel Nos. 54-79, 54-79A, 54-80, 54-80A, and 54-81 (Property). The Property consists of 7.118 acres, located on the south side of Kings Highway and north side of Naomi Road, within the George Washington Election District. **(Time Limit: October 18, 2019)**
2. CUP18152429; Conditional Use Permit - Vistas at Ferry Farm - A request for a conditional use permit (CUP) to allow increased residential density of up to 24.0 dwelling units per acre in the R-5, Age-Restricted Housing Zoning District on Tax Map Parcel Nos. 54-79, 54-79A, 54-80, 54-80A, and 54-81 (Property). The increased residential density would allow up to 170 age-restricted multi-family dwelling units. The Property consists of 7.118 acres, located on the south side of Kings Highway and north side of Naomi Road, within the George Washington Election District. **(Time Limit: October 18, 2019)**

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Mr. Zuraf: Good evening Madam Chair, members the Planning Commission. Mike Zuraf with the Planning and Zoning Department here to present items 1 and 2 on the agenda, which include a reclassification and conditional use permit for a project known as Vistas at Ferry Farm. So, these two requests, first a reclassification from the A-1, Agricultural Zoning District to the R-5, Age-Restricted Housing Zoning District to develop up to 170 age-restricted multi-family dwelling units, and the conditional use permit would be to allow increased residential density up to 24 dwelling units per acre in the R-5 Zoning District. The applicant is Doug Janney and the agent is Charlie Payne. This site is within the George Washington Election District. There are 5 parcels subject to this application that are identified in the blue outline. The area itself covers 7.118 acres. This... the property is located on the south side of Kings Highway and north side of Naomi Road. This is an image of the zoning map around the site. The adjacent properties to the north and south are zoned... include R-1, Suburban Residential and R-2, Urban Residential zoning. Also to the north you do have B-2, Urban Commercial zoning. Adjacent to the east is the CSX rail line. This... looking at the aerial view of the site, the site's partially wooded you have Claybourne Run located to the south of the property which includes 100-year floodplain associated with that stream. Also, the topography of the site slopes downward from Kings Highway to Naomi Road. There are some pocket wetlands located on the site. There are approximately 8 single-family dwellings located off of Naomi Road, on the property. The dwellings are in older or deteriorated condition and the age of the structures are unknown. Only some of the units are occupied. Other nearby uses include single-family residential dwellings along Naomi Road to the southwest and you also have townhouse dwellings farther to the south off of Dairy Lane. And on the opposite side of Kings Highway you have other townhouse units and then office buildings as well. The general development plan shows the layout of the proposed 170 age-restricted multi-family units. This image shows the entire parcel and this zooms in on the development area on the site. The primary access to the development is via two entrances off Naomi Road. There would be no access provided directly off of Kings Highway. The development includes two 3-story buildings, those are shaded in orange. In the R-5 Zoning District, the maximum by-right development density is 15 dwelling units per acre, which would equate to 106 units on this site. The proposed 170 dwelling units are equivalent to a density of 23.9 units per acre. The concurrent conditional use permit is required to achieve this density and that number of units. The way the applicant is getting to this density on this site, they are proposing underground parking that amounts to approximately 63 to 70 spaces underneath each building. The 3-story building height is a maximum of ... the maximum permitted number of stories in the R-5 Zoning District. The site layout reflects 55... 57% open space on the site. Given the sloping conditions of the site there are several retaining walls proposed. The buildings will be terraced into the sloping terrain as a result the underground parking is going to be exposed on the southern side facing Naomi Road and below grade on the northern side of the buildings facing Kings Highway. Amenities include a pool and clubhouse and sidewalks throughout the site. Also, staff does note that an alternative alignment to the Belmont-Ferry Farm trails being considered across the frontage of the site that's not shown on this plan. A wider trail would be needed to accommodate this improvement on this site. The development proposal does include the acquisition of approximately one acre of public right-of-way from VDOT. This is extra right-of-way that has been deemed not necessary to maintain the adjacent public roads. A letter from VDOT does provide their consent for the applicant to seek a requests a zoning classification of that area also the letter does note that the land would not... would only be conveyed to the applicant contingent on and after approval of the zoning reclassification. The Comprehensive Plan Future Land Use map classifies the property as Suburban. It's identified by the yellow shading on the map, on this Comprehensive Plan map. The Comp Plan states that Suburban areas of the County or areas where suburban scale development is most appropriate. The proposed development is generally consistent with many of the recommendations... recommended development standards for the Suburban designation, that's described in the Comprehensive Plan. The site consistent with infill development policies, staff will note that it is not in compliance with density recommendations; 23.9 dwelling units per acre is proposed. The Comprehensive Plan recommends generally up to 3 dwelling units per acre

for single-family detached housing but a greater density, generally up to 7 units or more for apartments or townhouse units. This density is being achieved by utilizing the area as mentioned beneath the structure for parking. Dwelling units other than single-family are permitted on a case-by-case basis. This site is surrounded by a variety of different housing including a nursing home, townhomes, and single-family homes. The 3-story buildings are consistent with the height of other multi-family buildings in Stafford. The site conditions do require the building to be oriented away from the closest single-family homes off of Naomi Road. The site layout and building design it complements and is in scale with the existing neighborhoods. The sidewalks would be constructed internal to the site and along the Naomi Road. Staff notes the alignment of the Belmont-Ferry Farm trail alignment has not been finalized through the area. The alignment along Naomi Road is being considered as an optional route and staff does recommend the applicant consider constructing the trail across the Naomi Road frontage of the site. Also, the project preserves a recommended amount of open space that's recommended in the Comp Plan. The site is within a Dam Break Inundation Zone associated with the Leeland dam which is located in the Leeland Station neighborhood. The dam is designated as a high hazard dam by the Department of Conservation and Recreation. What this means is that any downstream development within this zone cannot be prohibited but may require notification and potential evacuation... of potential evacuation during significant storm events to avoid any potential for loss of life. The Comp Plan discourages development of new buildings and structures within the dam inundation zones. This image does highlight the locations of that zone. It does cover the majority of the site. Staff does note that these limits are based on a simplified GIS analysis that does not account for upstream impediments. Immediately upstream there are two separate embankments that... and culverts associated with the CSX rail line and Kings Highway. Each embankment includes significant fill that also would act as a dam and would control the flow of water in the event an upstream dam should fail. This would likely lessen the downstream flooding impacts on this property. The proposed architectural design is consistent with many of the features which conform with the County's Neighborhood Design Standards Plan. A proposed proffer would require that buildings be constructed in a conformance with the styles and materials depicted on these architectural renderings. Staff has evaluated how the request would impact these listed public facilities. Staff also notes that this rezoning is subject to the July 2016 proffer legislation. It does limit what proffers the County can accept. Under the state law, proffers to mitigate off-site public facility impacts are limited to transportation, public safety, schools, and Parks and Recreation public facility types. And the proffers can only be tied to a need that's in excess of existing public facility capacities. So, going through these different facility types, age-restricted housing would not impact the County school system. Looking at Parks and Recreation, staff has determined that there is adequate park capacity in this location. There's a parks utilization plan that identifies where park facilities are lacking and assigns priority areas. This area is defined as having adequate parks in that study. For public safety, the site is within the first response area of the Falmouth Fire and Rescue station. It was determined that the current service level deficits exist and any additional homes will further add to the current service level deficit. Stafford's Fire and Rescue response standards are used to determine this deficit. The standard is to respond to a call within 8 minutes 90% of the time. At station 1, the 90th percentile response time is 9 minutes 31 seconds so, in this case, it would be reasonable to receive a proffer to mitigate Fire and Rescue impacts. A Transportation Impact Analysis was not required with this application since the trip generation is less than 1,000 vehicle trips per day. It's estimated that the proposed development would generate 658 vehicle trips per day, with 34 morning peak hour trips and 43 afternoon peak hour trips. In this location, the Comp Plan does not recommend any additional improvements to the adjacent roads. Staff does not anticipate significant traffic impacts with the development. Lower traffic generating uses that do not require a TIA are less likely to have a negative impact on levels of service. A Transportation Impact Fee of approximately \$3,000 per unit is going... would apply in this case. That amounts to \$509,000 for the project in total. The general government category includes facilities such as the County's Government Center and courthouse complex. Staff has determined that a deficit exists with general government services based on current

capacity issues with the courthouse. To address this, the County's CIP includes construction of a new courthouse facility scheduled for... to be complete in 2022, one year following the projected build-out of the project. With libraries, they're identified as having adequate levels of service through the build-out of this project. So, to summarize these different facilities, the level of service would be adequate through projected build-out for schools, parks, and libraries. The project would generate immediate level of service deficits upon Public Safety and general government. The public safety impact would be mitigated with cash proffers. And the transportation impact is undetermined as no traffic study is required. So, there are several proposed proffers with this project. The project we have to develop is generally depicted on the development plan. There'd be limited development to 170 age-restricted multi-family units; the architectural design would be required to be in accordance with the renderings provided; we would require building materials to ensure fire safety; require cash contributions of approximately \$490 per unit and that would be for public safety specifically; require covenants to ensure all units are age-restricted; require the construction of the clubhouse and swimming pool in the location shown on the plan; also, limit vehicle access to the two entrances shown on the plan; and establishing maximum building height of 3 stories and requiring coordination with VDOT for the acquisition of additional right-of-way. So, going over to the conditional use permit application, I'll be much more brief with this. This again is a use permit to increase the density up to 24 units per acre from the by-right density of 15 units per acre. Again, this is increasing the units from 106 to 170 units. So, the main intent of requiring a use permit for increasing residential density is to ensure the development occurs in a manner that minimizes negative impacts on residents in or adjacent to the site. The use permit would allow 64 additional units. The greatest potential impact would be to adjacent residence on... residences on Naomi Road. Staff notes that the shape and condition of the site will require the structures to be located to the eastern end of the site oriented away from the single-family residences. This should limit visual impacts. Staff does note that the 3-story buildings are consistent with the height of other apartment buildings in the county and could be permitted without the use permit. Also noted, the apartments are not permitted to be taller than 3 stories. Also, several conditions are being recommended to address fire safety which will be reviewed in the proposed conditions. So, looking at the conditions being proposed with this, there was also added conditions to limit the number of units similar to the proffers. There are several fire safety conditions to provide and maintain NFPA 13 commercial fire sprinkler systems and NFPA 14 standpipe systems for fire protection in all multi-story buildings; require at least one elevator with emergency power in each of the multi-story buildings; require only non-combustible exterior wall materials around at least the entire first level above grade on any of the buildings; and also an emergency evacuation response plan is required to be prepared and maintained. So, looking at the overall evaluation of the requests, there are several positives. The proposal is generally consistent with the land use recommendations except for the land use intensity; mitigation of public safety impacts are considered reasonable; consistent... it's consistent with infrastructure phasing policies related to schools, parks, libraries, and transportation; the site design should minimize visual impacts on nearby lower intensity residential uses; the project is designed in a manner to minimize impacts to sensitive environmental resources; the building design is consistent with architectural design recommendations; and the proposed conditions would help ensure that negative impacts are mitigated. There are a few negatives. The development intensity does exceed maximum density recommendations in the Comp Plan; the proposal is inconsistent with Comp Plan policies regarding the Dam Break Inundation Zones; the proposal does not address potential alignment of the Belmont-Ferry Farm trail across the site; and it's inconsistent with infrastructure phasing policies in the Comp Plan related to general government service deficits. So, staff recommendations with the zoning reclassification, staff is generally supportive of the application with proffered conditions pursuant to Ordinance O19-42. There are several positive aspects of the proposal. Although the project is in conflict with some of the Comp Plan recommendations, the conditions of the site and surrounding areas serve to mitigate the negative impacts. Staff does recommend the applicant consider the Belmont-Ferry Farm trail issue and that has been raised. Then with the conditional use permit, staff is generally supportive of the application with

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conditions pursuant to Resolution R19-225 and subject to approval of the associated reclassification application. There are several positive aspects of the proposal. Although the project is in conflict with the Comp Plan, recommendations regarding the intensity of the conditions of the site and surrounding area also serve to mitigate the negative impacts. And I'll take any questions at this time.

Ms. Vanuch: Mr. Bain, this is your district.

Mr. Bain: Yes, I do have a couple of questions. Mr. Zuraf, the density of development, are there other areas in the county where we have seen that level of development that you're aware of?

Mr. Zuraf: Off the top my head I think the Aquia Towne Center Apartments; I believe the density of that project may be of similar rate.

Mr. Bain: Okay. The traffic issue, I know you and I discussed some things; the railroad bridge over Naomi Road -- there had been some mention about possibly closing that to vehicular traffic because it is narrow and apparently deteriorating some. Can you enlighten me a little further on that if you know anything?

Mr. Zuraf: I'm not certain what I can add. I heard that's just being thought of but I'm not aware of any concrete plans. But yeah...

Mr. Bain: As long as it remains open, traffic coming to and going from the development could go in either direction on Naomi Road then...

Mr. Zuraf: Right.

Mr. Bain: ... to get to Route 3. But I think if they closed it, it would... could possibly cause some...

Mr. Zuraf: Definitely.

Mr. Bain: ... problems at the Route 3, at the east end of Naomi Road.

Mr. Zuraf: Right, at the side closer to Fredericksburg.

Mr. Bain: Right, yeah. I do have some questions possibly for the applicant when they come up so, if anybody else has questions?

Ms. Vanuch: Any questions for staff? Otherwise we'll let the applicant come up and present. Okay, go ahead.

Mr. Randall: So, we say age-restricted housing, what does that mean to us?

Mr. Zuraf: That is the residents have to be certain...

Mr. Randall: All the residents? Because I don't see anywhere in here where it says that every resident's restricted to age limit.

Mr. Zuraf: There may be some...

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Mr. Randall: At least what I read in their 180 pages and I thought somewhere in there that said at least one member of the resident had to be over 55.

Mr. Zuraf: Right. I believe that is and I'd maybe defer that to the applicant to speak to the...

Mr. Randall: Okay. So, if I'm over 55 but I have children in school, I could conceivably live there.

Mr. Zuraf: I'm not certain about that.

Mr. Randall: Okay. So, I think that needs to be looked at significantly. If it's age-restricted, it should be age-restricted for everybody. There should be a limit on under 55 residents, you know. Other ones are no more than 30 days in a 12-month period, no more than 90 days in a 12-month period, so that we don't have people who are living there who now are required to have the buses get in and out through there and we never proffered for it, we never prepared for it, so I think that definitely needs to be looked at as far as that; because I believe it said in here that only one of the members needs to be over 55 in order to qualify.

Mr. Zuraf: Okay.

Mr. Randall: Okay. So, when we talked about the... last week, last meeting, we talked about another age-restricted and an issue was brought up that many people who are age-restricted over 55, even over 65, are still working, are still involved in jobs, still going in and out, still doing things. Do we know if this traffic vehicles per day of 658 took that into consideration or was it... was it a generic number based on age-restricted/retirement/not working? Do you know if that was the case?

Mr. Zuraf: It's based on ITE trip generation rates which basically look at projects around the country and...

Mr. Randall: Based on age-restricted retired not working?

Mr. Zuraf: Age-restricted. And as far as how detailed it gets into whether...

Mr. Randall: Well, I think it makes a big difference if we think that of the number, 20% are still working or 80% are still working and I think this could generate it up to a thousand which would then require at TIA.

Mr. Zuraf: I would need to look up the definition of how the ITE manual defined that use.

Mr. Randall: Sure. I wish... we probably need to do that then in order to verify if we've gotten all the information we need regarding the traffic generated on Naomi Road. Could you go back to the overlay of the land and tell me where on that overlay the houses are? The current houses? So, there are the houses. Where's the new buildings planning to be built and then what have we done to those houses that are currently there? Do I have something from them that says they're okay with this? Is there a buffer that's going to be a 25- or 50-foot buffer between those houses and the new development?

Mr. Zuraf: The proposed buildings are... basically the whole site... that these buildings would be removed.

Mr. Randall: So, the current owners on this site are okay? They've been talked to? Everybody's okay with...

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Mr. Zuraf: I'm not certain I'd have to defer to the applicant on what kind of conversations they...

Mr. Randall: Okay, because I don't see anything in our information that says they're okay, they've signed something, they recognize that the county is going to approve something and they maybe haven't negotiated anything yet with the owners.

Mr. Zuraf: Yeah, that's not been something that's included in the...

Mr. Randall: Okay, sure.

Mr. Zuraf: And it's not required either in the application.

Mr. Randall: I understand. It just helps paint the picture of what's the... what's right for the county. Have we talked about how do they explain to manage the stormwater off of this? I didn't see anything in here that showed that process. Do you know?

Mr. Zuraf: Yeah, they'll have to go through stormwater concept review in advance of submitting their site plans and that all... we basically have gotten in the practice of not wanting to get all that information out at this stage because there's so much details... there a lot of details that can end up changing and we do prefer that that kind of happen when they get to the detailed site design stage.

Mr. Randall: Okay.

Ms. Vanuch: Mr. Randall, do you mind if I ask one question?

Mr. Randall: No, please.

Ms. Vanuch: So, you're saying we aren't getting to that level of detail, but what happens when you're in the site planning process and you are in that level of detail and they can't meet the requirements and they've already got the rezoning?

Mr. Zuraf: They would... they have to meet the... there are certain requirements they have to meet and so, and the applicant maybe can speak to how they... they may already have a general idea of how this is going to work.

Mr. Randall: I just didn't see it in their GDP. We were given a whole brand new GDP that nicely done and everything and there was... I didn't see anything mentioned on there about how they were gonna manage stormwater with all the impervious, so.

Mr. Zuraf: Yeah, they have to meet runoff requirements and water quality and water quantity matter what... how much impervious and so it will... it's basically a requirement regardless of...

Mr. Randall: Sure. Can you describe for me the status of Naomi Road, what kind of road that is? Is it wide shoulders, blind... I don't... I've haven't driven that road yet. Do you have an idea of what that road looks like?

Mr. Zuraf: It's a 2-lane local road. I don't believe the shoulders are all that wide.

Mr. Bain: No shoulders.

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Mr. Randall: Okay, so it's a typical Stafford County backwoods road they're riding 658 trips to every day.

Mr. Zuraf: Right.

Mr. Randall: Okay. Alright. Okay, I think we're good for now. I'll get to the applicant and then we'll have other questions. Thank you.

Ms. Vanuch: Mr. McPherson, go ahead.

Mr. McPherson: Yeah, Mike, I have one question for you. So, this is, you know, it is R-5 age-restricted housing which as Commissioner Randall pointed out, just means one person over 55. I did see in the proffer statement where they were gonna put in a covenant that there could be nobody under 18 years of age other than special needs who would live there for longer than 30 days. Having said that, you could do the same covenants for R-1, R-2, or R-3, correct, to have an age-restricted? You don't have to have R-5 and that density in order to do age-restrictions, correct?

Mr. Zuraf: Right.

Mr. McPherson: Okay, thank you.

Ms. Vanuch: Okay, is that it?

Mr. McPherson: That's it.

Ms. Vanuch: Okay, thank you so much Mr. Zuraf. Mr. Payne, would you like to come up to the Commission?

Mr. Payne: Thank you, Madam Chair, other members of the Planning Commission. My name is Charlie Payne; I represent the applicant. It's good to see you this evening. Happy post Fourth of July. Hope y'all had a nice time off. I do have a PowerPoint to go through some of the keys of the application. I'll try not to repeat what Mr. Zuraf has presented as he's done a good job doing that, and I'll answer some of the questions that have come up as well -- hopefully answer some of the questions that have come up. And as staff noted, this is doing together both the rezoning and the CUP in this presentation. Real quickly, from a market and community perspective, for all the work that I do in this entire region one of the largest deficit is affordable senior housing. So, there's definitely a market and need for it. You're seeing a lot of transition of seniors who are now in a positive real estate market able to sell their homes where before they were, you know, during the recession or otherwise, were struggling and selling those homes and also getting them to a value where it's worthwhile doing so or selling their homes for many reasons. And one of which is the main reason is they don't want to continue to maintain large spaces or larger spaces, and they also want to stay in the area. So, it's been very difficult for them to transition to new housing. So, this is an opportunity to transition them to housing where they don't... it's shorter term, they don't have to buy, they can rent at affordable rates, and they can stay in the community. So, we see a need for this. This is a great location that's in a very historical area in the region and the City of Fredericksburg of course being across the river and Stafford County with Chatham and Ferry Farm and Belmont. This is a unique location and also being adjacent to the trail. So, from a marketing and need perspective this makes a lot of sense. The property does consist of 5 parcels, as staff noted, and is a total of 7.1+ acres including VDOT right-of-way. It is within the George Washington Voting District. Properties around us, as staff had noted, are zoned R-1 and B-2. To the east are R-1 and M-1. The properties to the south R-1 and B-2. So, there's a mix of uses

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around us. Woodmont is there as well, nursing home facility and assisted living facility. There are townhouses also to our further south. This is a request from A-1 to R-5 for age-restricted, so the R-5 zoning category is relatively new to the County. I know you guys are very familiar with it. Again, it was something to encourage more residential senior residential housing in this community so my client obviously sees that as a unique opportunity. We're looking to develop this for 170 units. If you're familiar with this site, it is sort of a challenging site for development so it's very expensive to develop it so it makes a lot of sense to do 170 units on this site and, of course, that requires a CUP which is why we requested it. On the age-restricted component in regards to your question, Mr. Randall, the proffer statement does note that at least one person must be 55 years or older. No persons under 18 years of age can live there, so that eliminates the school age kids. This is this is basically copying the language out of the state code.

Mr. Randall: I'm sorry, was that in the proffer?

Mr. Payne: Yes, yeah...

Mr. Randall: Okay.

Mr. Payne: ... it's in the proffer. So, we're just basically... and we also remember, you've got the Fair Housing Act you got to balance so folks who are disabled would have to live there. We couldn't tell them they couldn't live there by law. So, that's why the language is written. But the intent is obviously for this to be senior housing. This site also provides 50%... 57% open space which is a... which far exceeds the R-5 requirements of 25%. And to answer your question, Mr. Randall, also as to where the stormwater management facilities would be; if you look at the GDP real quick and you look to the north... north... yeah, to the north, you'll see that we have identified a general stormwater management area in our open space which includes this 4+ acres that we've identified. So, it is included. It's just when you get to the site plan stage, it gets a lot more specific of where those stormwater management facilities will be located, but the general area is identified on our GDP.

Mr. Randall: *Inaudible, microphone not on.*

Mr. Payne: Yes sir, yeah. The project is located within your USA which I obviously has connections of water and sewer, and encourages greater density. On-site amenities do include a clubhouse and swimming pool. Access to the project as staff noted would be from Naomi Road in two locations. Generation during peak hours are at 25 trips during the a.m. and 36 during the p.m. There are ITE... the ITE analysis as done is related to age-restricted uses. I will tell you that the average age for folks who typically live in these types of facilities is much older than 55 and typically over 65. So, you're not going to have a lot of folks traveling during peak hours especially. Probably not gonna have a lot of folks with vehicles, but you will especially if it's a couple. So, you'll probably have one car. So, the analysis doesn't take into account sort of the reality as what you see in the market but we're subject to whatever they tell us they are. So, it's not something we come up with, it's something that VDOT comes up with. The project is proposed for R-5 with... which allows a density of 24 dwelling units per acre. Environmental and cultural resources, as staff had noted, very small wetlands on the site. We're avoiding the wetlands and RPAs. There is... it is... a part of the property is within the 100-year floodplain, so we are grading the lowest floor of the each building and elevate... to elevate that above the base flood elevation requirements as required under county and state ordinance. And there's no archaeological resources on the site.

Mr. McPherson: Mr. Payne, if I may interrupt for one second.

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Mr. Payne: Yes.

Mr. McPherson: R-5 allows 15 per acre, not 24.

Mr. Payne: With a CUP, I'm sorry.

Mr. McPherson: Or with a CUP it's 24. R-5 by itself is 15.

Mr. Payne: That's right, yes sir, thank you. The Comp Plan, as staff had noted, the project is generally consistent with the Comp Plan. It is in the Suburban land use district. It is surrounded by various different uses including uses that are higher intensity. The Comp Plan does, and which is why this R-5 was created, encourage a variety of different types of uses. Senior, again, housing is one of the deficits that we have in this county. It's also an infill use which is encouraged under the Comp Plan. It is within the Urban Services Area which the County encourages new growth. And we are exceeding the open space requirements. And we will connect to the Belmont-Ferry Farm trail and we're very much open to assist in the County with that trail as well. Again, we believe this project is in accordance with the Comp Plan. Here's the GDP; I'm sure you've all seen it and I'm gonna try not to mess this up. Obviously here's the entrance here and an entrance here off Naomi Road. These are the buildings here; they do have underground parking, each one of them, and there is surface parking around them. The amenities here, the pool and the clubhouse. There are, I'd like to note, sidewalks that connect all the way around the property so folks will also be able to walk the property and also connect to the trail which is going to be typically... which is likely going to be in this area here. It'd be kind of a neat amenity for them to get on that historic trail. Here are the renderings that we've submitted and proffered with our application for the facility. The stone goes very well with the river fill. And breaking it up also makes it... gives the appearance of not just being sort of a blob look. Fiscal impact -- age-restricted developments are typically very positive and this project is very positive. At full build-out expect \$264,000 in each year in on-site tax revenues including real estate tax and personal property. Offsite is also relevant; it would generate over \$46,000. It would create... this project will generate approximately 190 new jobs resulting in about 7.6 million dollars in new employee earnings, and not to mention the fact that projects like this have a full, full scope of positive impacts to our community. And at full build-out the project will generate annual gross County tax revenues of \$310,000 with a net of about \$145,362 once you net out the cost. So, a very positive project.

Ms. Vanuch: Mr. Payne, really quick. You talked a little bit about the trail; where will the connection to Ferry Farm for the trail be?

Mr. Payne: Let me get to a slide here.

Ms. Vanuch: Oh, sorry.

Mr. Payne: That's okay. Here, if you... the sidewalk area... let me see if this is... John, make sure I got the right one. See the portion of the trail by developer located right there? That's the location. That's where we would connect.

Mr. Randall: Mr. Payne? You're gonna include that in the proffer? Or that... I guess we got from staff...

Mr. Payne: Something that came... something that came up...

Mr. Randall: ... we weren't sure about it?

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Mr. Payne: Something that came up just in the staff report that we looked at them and said you know we think we can... we can probably work with that. We want to... we want to clarify because there hasn't been a final design for that, so we want to make sure we know where that will be because if it's too wide, I mean, we can provide... let me just answer this question. Yes, we can provide area for the trail. The question is going to be what are the dimensions and width because the more you push the building back, the more impact you're gonna have on retaining walls and our ability to, you know, to... to develop the site so...

Mr. Randall: Will that be a discussion you'd have with staff.

Mr. Payne: Yeah. We haven't had that discussion yet, but we're open to it. And we're just reacting to what we've seen in the staff report.

Mr. Randall: Yep, absolutely. Alright, thank you.

Ms. Vanuch: And will it touch... where exactly will touch the Ferry Farm land? It doesn't?

Mr. Payne: (Inaudible) is a portion of trail (inaudible) County that's kind of the hatch all the way through.

Ms. Vanuch: So, where does it go after it hits Jett Drive?

Mr. English: It goes past Jett Drive.

Mr. Payne: I'll let staff answer that question, because I think there's been some changes to... recent changes to the plan.

Mr. Harvey: Madam Chairman, as this diagram shows, the current discussion has been that once you pass Jett Drive heading east, you'd follow along the shoulder of Route 3 until it reaches the intersection with Cool Spring Road.

Ms. Vanuch: Okay, okay.

Mr. Harvey: This diagram does show an extension that's currently not authorized. There's been discussion at the Board level as to whether to pursue past Cool Spring Road to Ferry Road, and that may be on the north side; it's not been set yet.

Ms. Vanuch: Okay, go ahead.

Mr. Payne: We're showing this just to show you where our portion of the trail would be. Okay? Does that make sense?

Ms. Vanuch: Yeah. Is there just a reason you're not connecting it to Ferry Farm land or...?

Mr. Payne: Well, we're just extending through the boundary of the length of our property.

Ms. Vanuch: Okay, got it.

Mr. Payne: See what I'm saying? So, we're not even... we're not close to that location.

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Ms. Vanuch: Got it, okay.

Mr. Payne: Again, no impact on schools, public safety, fire station, rescue 1, good ol' Falmouth is located 1.3 miles away, so we are paying proffers for impacts to that. And recreation, analysis showed that there will be no impacts. And we do have onsite recreational amenities for the project. And, again, we will be connecting to the Belmont-Ferry Farm trail and more than happy to work with the County on that. A summary of key proffers -- overall proffers are over \$83,000 for 170 units; that's \$490.65 per unit as staff had noted. Also, as a reminder, each one of these units would have to pay Transportation Impact Fees, so it basically comes out to almost about \$3,500 a unit. And the architectural materials have been proffered. The age-restricted covenants will also be part of this project. And, Mr. Randall, just to add onto that, the proffers act like a restrictive covenant and, on top of that, we'll have covenants as well, restrictive covenants as well as to who could live there.

Mr. Randall: *Inaudible, microphone not on.*

Mr. Payne: Right, exactly.

Mr. Randall: *Inaudible, microphone not on.*

Mr. Payne: Yep. And, again, the recreational amenities will include a clubhouse and pool, and we've restricted the number of stories to 3.

Ms. Vanuch: How big will your recreational clubhouse be? I'm asking for Bart.

Mr. Payne: I'm sorry?

Ms. Vanuch: I know that he's going to ask that.

Mr. Payne: Say that again, I'm sorry.

Ms. Vanuch: How big is your clubhouse?

Mr. Payne: How big is it?

Ms. Vanuch: Yeah.

Mr. Payne: I don't... I don't know if we've...

Ms. Vanuch: Are there any minimums? Okay.

Mr. Payne: About 2,500 square feet.

Ms. Vanuch: Okay.

Mr. Payne: I'll be happy to answer any questions.

Ms. Vanuch: Okay. Anybody have any questions for Mr. Payne? You're looking at me like you... oh, Mr. Bain, go ahead.

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Mr. Bain: I've got just one. As I indicated earlier in the meeting, I did have a meeting with the applicant and his engineer. One of the issues I brought up is the building that furthest east only has a single access to the underground parking. And they said they would look into creating a second access to that. I wonder if that had been looked at any further? I'm very concerned about having only one driveway into and out of an underground parking facility.

Mr. Payne: Yes sir. I just put up on your screen... the computer, sorry. We've revised that to reflect the second entrance.

Mr. Bain: Ah, very good, very good.

Mr. Payne: Any other questions?

Ms. Vanuch: Mr. Randall?

Mr. Randall: I have a couple questions, thank you. What's the size... what are the size of these units?

Mr. Payne: They're going to be 1- and 2-bedroom, likely we think it'll be split evenly between the two.

Mr. Randall: Okay.

Mr. Payne: So, typically, I mean we haven't finally designed this so don't hold this to it. But, you know, typically the 1-bedrooms are 850-900 square feet and the 2 are 1,200+ square feet, around or about.

Mr. Randall: Okay. And what's the price that you're looking at these?

Mr. Payne: I think the 1-bedroom is around \$1,100 or so per month and the 2-bedroom...

Mr. Randall: Are these all rentals?

Mr. Payne: Yes.

Mr. Randall: Okay, so none of these would be ownership.

Mr. Payne: Condos or... no.

Mr. Randall: Okay. They're all rentals?

Mr. Payne: Yes sir.

Mr. Randall: Okay. Alright, that's all I have for now.

Ms. Vanuch: Okay, great. Thank you, Mr. Payne.

Mr. Payne: Thank you.

Ms. Vanuch: Okay, so at this point, we're going to go ahead and open up the public hearing. So, if you are here to address any concerns or questions that you might have, now is your chance to come down to the podium. You'll have 3 minutes. Please state your name, address, and the district that you reside.

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When the green light comes on, you'll have 3 minutes; when the yellow light comes on, you'll have a minute; and when the red light comes on, please conclude your comments. And, just a reminder, we can't answer any of the questions that you ask us. We can't get into a conversation from you at the dais and the podium, but we will jot down the questions and then we'll be able to address them afterwards. Does anybody want to come down and address the Planning Commission? Come on down.

Ms. Moon: Hi, I'm Amonda Moon. I reside in the townhouses across from this proposed development. We have some major concerns about this being all rental. It was our original understanding that this was going to be owner occupied. So, very concerned about that. The other thing that we're very concerned about is the stormwater runoff. We've had Claiborne Run flood 3 times. We have one way in and out of our townhouses and the nursing home up there. So, if it floods, we cannot get the people out of the nursing home and we cannot get in and out of our townhouses. The other thing is, the one way in and out with the rail bridge closing, if that were closed and turned into a cul-de-sac as somebody mentioned, that would really seriously impact any sort of evacuation. The other thing is, is that Naomi Road is narrow, it has no shoulders, it's unlined, it is rarely maintained, and our connecting street with that, Dairy Lane, has never been repaved. We have major issues with the roads there, especially with the flooding at Dairy Lane, because it's just a culvert that runs underneath Dairy Lane for Claiborne Run. So, that's a... that's a real issue for us. The last time that it flooded in June when we had the big flood, you know, we couldn't even get home. So, it... those are some major problems that we have, and number 1 being that number of rentals impacting our property values. And that is a lot of people going up and down... older people going up and down a road that is really not suitable for much more traffic than we already have. So, if we could address those concerns, we would really like to have the answers on those.

Ms. Vanuch: Okay, thank you.

Ms. Moon: Thank you.

Ms. Vanuch: Anyone else? Come on down.

Mr. Christman: My name is Vivian Christman. And I have a couple of questions. It's been indicated that many or... many of the people that would be anticipated living in this development would not have cars. If that's the case, what is the anticipated public transportation that they would have access to? How would they get into town? Has anyone taken a look at the walkways between town, which is only a mile away across the bridge, and this proposed development? If you haven't looked at it, go take a walk; you'll take your life in your hands. It's about 18 inches wide between the edge of the bridge and the active traffic lane at the narrowest point. Some of us do brave it from time to time, but that would be a concern if you're going to put a lot of people without cars in that location. If you are going to have cars in that location, then the items that Amonda mentioned need to be taken into consideration. Just a point of clarification on the trail; Jett Road is the opposite side of Route 3 of Cold Springs. So, if the trail goes to Jett Road, it doesn't go up to Cold Springs, that's the end of it. So, just that those are the same geographical location. Um, that... I think that will do. Amonda has mentioned the other things and there are apparently some people interned on that site. There are apparently at least 3 people that are interned on that site. Will... I guess there's some appropriate action that will be taken to deal with that. Thank you.

Ms. Vanuch: Thank you. Anyone else? That's it? Nope, one more. Speak now or forever hold your peace.

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Ms. Watson: Yeah, I know. My name is Leah Watson and we are directly across the street from where this development is going to be. And we're generally in support of it. A little bit concerned about the increased density. What the previous people have mentioned about Naomi not really being suited for increased traffic, on our side of the road there's a steep drop-off in some areas. We already get a significant amount of water running off of Route 3 and it creates kind of an oil slick that comes downhill and onto our property. So, the stormwater management issues are of concern. But Naomi Road, in keeping that maintained, is of concern with the increased traffic. And I'm of the age to be able to move into that property and I'm still working. I think that a lot of the people that will be living there will be working, so I anticipate more traffic than what they're projecting. Also, I've been really involved with the Ferry Farm trail project and the original plans that were shown back when this R-5 was being proposed showed the proffer of the trail across the front of this development. And so I think that they had always planned on doing that. But with the unknowns of the Ferry Farm trail, the reason it doesn't go all the way out to Ferry Farm is because the Ferry Farm Foundation did not approve it to come along Route 3 out to their land. So, right now, it ends at Jett Drive. And everything that we've heard is that they are going to close at the bridge, the train bridge, that that is the plan because they're not going to improve the bridge to make it safe for pedestrians and vehicle traffic. So. Thank you very much for your time.

Ms. Vanuch: Thank you. Anyone else?

Mr. Brown: My name is David Brown. I only have one question. It has been talked, not rumored, but talk about this that I've overheard, too, and I haven't heard it mentioned here tonight that in addition to the residences, there was supposed to be offices put in this complex, too, on the ground floor? So that's a concern that I have because it hasn't been mentioned here at all. And again, I don't know if it's a rumor or is an actual fact. Because if it's a fact, that really increases the amount of traffic and the need for 170 units with commercial property on the bottom, too, I don't see that at all so. It's just a question I need clarified. Thank you.

Ms. Vanuch: Very good. Anyone else? Okay, Mr. Bain, would you like me to close this out or leave it open?

Mr. Bain: I'd like to leave it open.

Ms. Vanuch: Okay, so we're going to leave the public hearing open pending any further action that we do. So, if we were to make changes to the application...

Ms. Lucian: Madam Chairman?

Ms. Vanuch: Yes.

Ms. Lucian: The applicant has a chance for rebuttal.

Ms. Vanuch: I know, I know. I'm just... I'm explaining why I'm not going to close the public hearing.

Ms. Lucian: Gotcha.

Ms. Vanuch: So, that way you guys can have another opportunity to come and address the Commission, okay? Alright. Mr. Payne, would you like to come back up and address the Commission?

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Mr. Payne: And I didn't... Charlie Payne, I represent the applicant. Thank you, Madam Chair. And Mr. Randall, I didn't answer your question regarding ownership question, tenant question on the property. My client owns the property today, so they are in communication with the tenants about when they'll be developing and the tenant will have to vacate. But we're... I just wanted you to know that my client does own the real estate to that. In regards to the community comments, as you've heard me state before, they're very important to this process in shaping these projects, and appreciate their comments and we look forward to them being our neighbors. And we'll be good neighbors, I promise you. The rental question, again, as I had stated earlier in my opening, that this is a need in the community. This is not low income housing, this is not tax credit housing, this is going to be a very expensive project to build. The rents are fairly... I wouldn't say they're high, but they're not low. They're affordable for this community. And again, the market that's there we think could utilize this housing opportunity. And again, that's why the R-5 district was created, to provide this new housing opportunity to the County. And this is going to be a very nice quality project. As you can see from the materials that we have, and the renters that we have presented in our application, this is a nice quality project with nice amenities. So, again, this will be something I think the community will be very proud of. And the community hasn't had a new investment in this area for a very long time. The townhouses were built many, many years ago. They're nice... nice townhouses today, but there hasn't been any investment in that area for some time. And the nursing home facility is getting older, it has been there for some time as well. So, this is a... this is a new investment in that area which I think will benefit the people in the immediate community. For stormwater management questions, we understand that there has been some stormwater issues in the most recent past. That is, as we all know, near the Rappahannock River. There is a steep slope area. With this project and grading improvements and the improvements on the site, we're going to eliminate those problems. And we've got to capture our stormwater management on site. So this is actually going to be an upgrade in regards to any sort of stormwater management challenges that the community has been feeling in the past. And I'm just going through my notes here; I can't even read my own handwriting. On the car, I didn't say there wouldn't be any cars; I just said that there won't be as many cars as folks anticipate because typically couples, senior couples have one car. We assume that folks living who are living in the singles will have a car, maybe not. Access... pedestrian access is going to improve with the trail, so the trail will be a benefit for that for folks who are looking to get to and from hopefully up to Belmont, hopefully to Ferry Farm, or even into the City. I know that there's also road improvements for Chatham Bridge which will improve pedestrian access as well. So, there's a lot of that coming that we can all look forward to. And I run that bridge and when it's raining, with the potholes, folks like to swerve right towards me where the potholes are and splash me. They probably know that I've got that big attorney sign on me or something. But it is... it is painful at times to cross that bridge.

Ms. Vanuch: Now you guys know where to find him.

Mr. Payne: Yeah, you know where to find me. If you're up at 6:30, you can find me. Although I did cross the bridge and kept going. In regards to... I think I hit 'em all. Oh, you know, the one thing that did come up about that we agreed to dedicate the trail early on, we did. But the County changed the design of the trail, moved it to the other side of the street. So now it looks like it may be coming back to us which, again, we're open and willing to provide and dedicate the trail area.

Mr. English: Office space.

Mr. Payne: No office space. If... for folks in our audience who are new to this, what we propose in our Generalized Development Plan and what we propose in our proffers is all we can build. We can't build anything else. So, all we have proposed is 170 residential units and no other use. So that's what we have in our... in our proposal. So, hopefully that answers any questions.

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Ms. Vanuch: Mr. Randall, I know you have questions.

Mr. Randall: I have a couple other questions. Can you pull up the GDP? Sorry, Jeff? Could you show me where the stormwater management... show me the topography on the land? I gathered from the discussion that it... it drifts down to Naomi Road?

Mr. Payne: It slopes this way.

Mr. Randall: It slopes that way, correct?

Mr. Payne: Right.

Mr. Randall: And your stormwater management is located...

Mr. Payne: Right here.

Mr. Randall: ... it's there?

Mr. Payne: Yep.

Mr. Randall: So the expectation is that all the way over towards, I don't know, what, it's the west, that you'll be able to get all that water from there into your stormwater management area?

Mr. Payne: John, you want to answer that question? I'll let the expert answer.

Mr. Randall: No problem.

Mr. Fairbanks: Good evening, I'm John Fairbanks with Fairbanks and Franklin. Yes, the expectation is that we will be draining. That is a low part of the sight and that's actually naturally where the water flows at this time. The majority of water comes off of the VDOT right-of-way, comes down the slope and...

Mr. Randall: Show me.

Mr. Fairbanks: ... we're going to be improving that slope as well.

Mr. Randall: Show me where you're talking about so people can see that.

Mr. Fairbanks: Okay. Basically, this water comes off of the slope down here.

Mr. Randall: Right.

Mr. Fairbanks: And it naturally flows, there's actually a pocket, small pocket of wetlands here, and it flows through to a culvert that naturally discharges across Naomi Road to this location approximately.

Mr. Randall: Okay.

Mr. Fairbanks: And so that's the natural outfall for the site. So, it's basically conducive with that, where we're talking about taking a runoff. All of the land adjacent to Route 3 is much higher than that, so it naturally can drain there. So, what we intend to do is have... we're going to need a storm sewer

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system anyway for the site. The storm sewer system will convey underground roof drainage from the buildings as well as surface drainage from the parking lots.

Mr. Randall: All the way from the other side as well. All the way from the other side...

Mr. Fairbanks: Absolutely. It's going to come from this area all the way across. We've actually already, you know, looked at that. That's all been accounted for. Because this site is a... there's a lot of grade on this site and it does not do it justice to look at it in two dimension, so we've gone much further than that at the GDP stage. We've already looked at...

Mr. Randall: So, what will be the size of this stormwater management drain pond that you're looking at? Do you have an idea of what that would be?

Mr. Fairbanks: Well, I do anticipate it's going to be something that serves as an amenity, as well as a pond at that location. It's not going to be a wet pond, most likely.

Mr. Randall: For sure, for sure.

Mr. Fairbanks: It's going to be something that has landscaping. It's going to be an amenity. We will be complying with the state quantity and quality control requirements that likely could have some underground component to it, as well as a surface storage component with landscaping.

Mr. Randall: Where would it drain to? Would it drain to that creek that's down at the bottom?

Mr. Fairbanks: It naturally would. It would go to Claiborne Run. Everything is going to go to Claiborne Run ultimately, absolutely.

Mr. Randall: Okay.

Mr. Fairbanks: That's correct.

Mr. Randall: Alright.

Mr. Fairbanks: Any other questions?

Mr. Bain: John, just to I guess clarify, the runoff from Route 3 will also go into your pond, right?

Mr. Fairbanks: Most likely now, because that's actually draining a fair amount of water, not just from Route 3, but there's cross-drains on Route 3 that convey water from the other side. So, there's going to be a storm sewer bypass component on this project.

Mr. Bain: Where will that discharge?

Mr. Fairbanks: The same location.

Mr. Bain: Same location?

Mr. Fairbanks: Yes.

Mr. Bain: Alright.

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Ms. Vanuch: Any other questions?

Mr. Randall: I do. Not for the engineer. I think I'm done with you, for now.

Mr. Payne: You're off the hook.

Mr. Randall: Alright. You mentioned a pool and an amenities recreation center. When do we expect those to be completed as part of the development of the project?

Mr. Payne: Like I said, we're still designing it so likely after the first building before we construct the second building. Around or about prior to finishing...

Mr. Randall: So, roughly about halfway through...

Mr. Payne: About halfway through.

Mr. Randall: ... you expect that will be done?

Mr. Payne: Yeah, and I think, I mean, it gets tricky, as we've talked about before, as to when it happens given the construction schedule, so in, you know, making sure we're not interfering with people. So, yeah, I think probably about after the first building around or about.

Mr. Randall: Okay. And I saw something in there that talked about build-out of 2021. Is that... was that based on...

Mr. Payne: I think that's the plan if we're able to get approval and move forward.

Mr. Randall: Okay, so you're ready to... okay. Alright. So, you expect it... your negotiations with the homeowners, the landowners that are currently there would go fairly quickly?

Mr. Payne: Well, remember the only landowner is my client.

Mr. Randall: So, they're renting the land, they're renting from them.

Mr. Payne: Right, that's right, exactly.

Mr. Randall: Okay. Alright.

Ms. Vanuch: Alright, anybody else have any questions? I had a couple more notes from the public hearing if not. Okay. Somebody had mentioned if the rail bridge turned into a cul-de-sac, that would impact potential evacuation from flooding? Do you have any comments about that?

Mr. Payne: I have... one, I've not heard anything. You know, that rumor's been going on for many, many year but I've heard nothing official from VDOT about closing that access. I think that access would be a little more challenged to close given the trail and given future development in that area. But again, I've not heard any of that. If there is a closure, you know, we'd have to evaluate it at that point in time. But I just don't see it happening.

Ms. Vanuch: Do you have any comment regarding rentals impacting the property values for the neighboring land?

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Mr. Payne: Well, like I've stated, this is not low income housing, this is not tax credit. This is going to be, you know, market rate housing for seniors but we think it's going to be in the more affordable range. We're not talking, you know, 1,500 bucks a month for one bedroom or anything of that nature. We think it's going to be in a range where, you know, people can afford it but, you know, \$1,100 for one bedroom or \$1,300 for two bedrooms isn't super cheap. And it's going to be quality development. As you can see in our renderings, this is a quality project. And, given the site, this is going to be a very expensive site to build out. So, we're not, you know, we're not going to build... we're not going to rent this out as a low income project.

Ms. Vanuch: And then public transportation. We do have a lack of public transportation in Stafford and, if you're saying that they only have one car, I mean, I know my parents are both 70 and they have 15 cars I feel like.

Mr. Payne: We can take a look at whether FRED would be open to us because I assume they... I don't think they go to the nursing home. I think...

Mr. English: I think they stop up in Jett Drive up in there.

Mr. Payne: We can take a look at that. But that would be one option. Of course, that trail will be there eventually, improvements for Chatham for folks to walk to and from if they want to get on it. You know, I just don't... we don't anticipate a lot of public transportation activity, but we can, you know, we can take a look at it.

Ms. Vanuch: And then, obviously if there isn't, then just impacts on the road then I think are going to be a little bit more than what you're projecting. And then I didn't see anything in the packet, but there are people buried on the site?

Mr. Payne: There's no cemeteries on the site. That's the first that we've heard of it.

Ms. Vanuch: Okay.

Mr. Payne: Yeah, we did a field study and there's no cemeteries.

Ms. Vanuch: Okay. I think that was... oh, and then the other question was just the density number. Do you have any appetite for lowering the density?

Mr. Payne: Well, as I stated earlier, one, you know, there's a market for this so there's a need for it and desire for it. There's not a whole lot of senior housing in Stafford and certainly not a whole lot of it in south Stafford. And it's also stated this is a very expensive development, so this is, you know, as much economics as it is market that's driving the number.

Ms. Vanuch: Okay. I think that covers all the questions.

Mr. Randall: Madam Chair...

Ms. Vanuch: Yeah, go ahead.

Mr. Randall: I apologize. (Inaudible).

Ms. Vanuch: Even though Mr. Apicella's not here, you're not getting off easy.

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Mr. Payne: You're all so kind.

Mr. Randall: This is on the back page. Environmental impact -- you mentioned... I see something in here and I just want to read it because I want to make sure I get it right. Partially within a 100-year floodplain, the site will be graded so the lowest floor of each building is elevated above the baseline... base flood elevation in accordance with the Flood Hazard Overlay District regulations. So, you're talking about the building, not the parking garage, correct? So, the parking garage would still be within that floodplain? It would only be the building itself that would be...?

Mr. Fairbanks: Actually it would be both the parking area and the building itself above that. So, the lowest floor of the parking garage is going to be roughly the same as the elevation of the pool and the community building, and that will all be elevated... by code it has to be a minimum 2 feet above the base flood elevation.

Mr. Randall: Ah, okay. It wasn't clear based on this thing.

Mr. Fairbanks: Okay.

Mr. Randall: That's fine. Alright.

Ms. Vanuch: Are you putting the recreation facilities in a flood area as well?

Mr. Fairbanks: That will be elevated as well, so it's above the base flood elevation so it will be outside the 100-year floodplain.

Ms. Vanuch: Okay.

Mr. Fairbanks: Yes.

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

Ms. Vanuch: Alright, thank you.

Mr. Payne: Thank you.

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

Mr. Bain: There have been a lot of questions raised tonight. I think I would like to have an opportunity to do a little more thinking and investigation on this. So, I would like to make a motion to defer a decision until the August meeting.

Ms. Vanuch: Okay, keeping the public hearing open so we'll re-advertise.

Mr. Bain: And keep the public hearing open, yes.

Ms. Vanuch: Okay, and that's for the reclassification, right?

Mr. Bain: Right. And for the conditional use.

Ms. Vanuch: I think you have to make two separate motions.

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Mr. Bain: I have to do that as a separate motion, sorry.

Ms. Vanuch: Alright, so we have a motion on the floor to defer item 1, Reclassification of the Vistas at Ferry Farm...

Mr. McPherson: Second.

Ms. Vanuch: ... until the August meeting, and leaving the public hearing open. We have a second by Commissioner McPherson. Any discussion Mr. Bain or Mr. McPherson?

Mr. Bain: No ma'am.

Ms. Vanuch: Any discussion from anyone else? Alright, go ahead and vote. Tally the vote. Motion carries 6 with 1 absent (*Mr. Apicella absent*). Item number 2, the conditional use permit. Mr. Bain, what would you like to do?

Mr. Bain: I would also like to make a motion to defer decision to the August meeting.

Ms. Vanuch: Okay, leaving the public hearing open?

Mr. Bain: And leave the public hearing open.

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

Mr. Randall: I'll second that.

Ms. Vanuch: Okay. So, a motion by Commissioner Bain to defer until August, leaving the public hearing open; second by Commissioner Randall. Any comment gentlemen?

Mr. Bain: No.

Ms. Vanuch: Anyone else?

Mr. Randall: No.

Ms. Vanuch: Alright, go ahead and vote. Motion carries 6 with 1 absent (*Mr. Apicella absent*). Moving on to item number 3, the Reclassification for Centreport Gateway Proffer Amendment. For this we recognized Mr. Zuraf again.

3. RC16151310; Reclassification - Centreport Gateway Proffer Amendment - A proposal to amend proffered conditions on a portion of Tax Map Parcel No. 37-25 (Property), zoned B-2, Urban Commercial Zoning District, to remove access and use restrictions to allow for the development of office, retail, and hotel uses. The Property consists of approximately 44.49 acres and is located on the north side of Centreport Parkway, approximately 800 feet west of the access ramp to northbound Interstate 95, within the Hartwood Election District. (**Time Limit: October 18, 2019**)

Mr. Zuraf: Okay, good evening Madam Chairman and members of the Commission, again Mike Zuraf, Planning and Zoning Department here to present item 3. Rezoning reclassification for the Centreport Gateway proffer amendment. This is a request to amend proffered conditions on portion of Tax Map

Parcel 37-25 within the B-2 Zoning District. The purpose of this is to modify access and use restrictions to allow for the development of retail and hotel uses. The applicant is Jacob Manevich and the agent is Clark Leming with Leming and Healy. This is an image of the zoning map of the site and surrounding area. The site's highlighted in red, it's located on the south side of Centreport Parkway approximately 800 feet west of the access ramp to southbound Interstate 95. The site covers 44.5 acres, it's located in the Hartwood Election District. Surrounding zoning uses include R-2, Urban Residential, Urban Commercial, B-2 and A-1, Agricultural zoning to the north. To the south it includes, let's see, A-1 zoning to the south and then to the west of the site is more R-2 zoning and then to the east is right-of-way for Interstate 95. So looking at the zoning history on November 20, 2007 the property was rezoned from A-1 Agricultural to B-2, Urban Commercial with proffers. The proffers did limit the development of the site to no more than 379,000 square feet. The floor area consisting primarily of office, hotel and non-retail uses and no more than 50,000 square feet of freestanding retail and restaurant uses. So basically the GDP kind of envisioned an office park with a conference facility and supporting hotels and retail. Also you see in the in the GDP does show an access to Centreport Parkway, but upon... when this zoning was approved the access was restricted to that, to Centreport Parkway, so no access was permitted to Centreport Parkway. Rather the... the proffers did require access via inter-parcel connection to the west, combined with partial construction of the extension of Mine Road. So the transportation plan, it recommends the extension of Mine Road to the south and that basically can take it through Embry Mill south of Courthouse Road, it connects up with Centreport Parkway and then continues south of this bend in Centreport Parkway, down toward Enon Road and Plantation. And so generally the whole corridor is called the Mine Road extension, even though it's far away from Mine Road, just to provide some explanation there. And to date on the site no construction activity has occurred on this property. So the property includes forested land cover, there is a perennial stream that bisects the site with credit ... critical resource protection area, there are two branches of the stream near the southern end of the site. The site includes some steep terrain, it does slope down to the middle of the property where the streams are. There's uh... in some spots 139 foot difference in elevation from the highest to the lowest points. Stafford County Groundwater Management Plan does identify this location was having a higher groundwater pollution potential and surrounding uses are largely undeveloped around this site. So this is the image of the new general development plan for the entire commercial development. One of the proffer amendments would replace the original GDP with this one. This revised GDP identifies new development concept, it does include approximately the same amount of square footage it's 380,000 square feet of retail uses and a 41,000 square foot hotel. The retail uses include a single 320,000 square foot retail center building, that's in this location, and then there in this location there'd be... the concept of multiple retails would be under one roof. And to meet their parking requirements covered parking is proposed on the ground level under the retail center. The GDP also depicts how access will be provided to the site off of Centreport Parkway as well as the internal travel way network within the property. So one of the primary amendments is to delete the requirement that access be provided via inter-parcel access to the west. The amendments seek to add criteria that would permit primary access via the existing Centreport Parkway following construction of specific improvements that would minimize impacts. You can see the shaded area shows the new roadway construction that would be required. So just to kind of explain this, the current alignment of Centreport Parkway the two lane portion of roadway is generally in this area and so the applicant would have to provide improvements including additional... so these areas shaded in blue become the northbound lanes and then new southbound lanes would be constructed where access would be kind of a right-in right-out configuration into the site. There would be ways to do U-turns to head in the other direction through the improvements that are required. So the reason for this, the segment of Centreport Parkway is designated as a limited access roadway by VDOT. It does restrict access to adjacent properties, this was ... this portion of the roadway is originally designed an envision to serve as the upper northern terminus of the outer, what was known as the outer connector, that was a limited access highway planned to connect over to Warrenton Road, and then continue south into Spotsylvania County and

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Route 3. So to obtain a break in limited access, the applicant was required to seek approval from the Commonwealth Transportation Board. The applicant did receive approval on September 18th of last year. CTV approval did require a lengthy review process requiring a redesign of Centreport Parkway and the road network and additional transportation analysis.

Mr. McPherson: Mike, can I ask you one question?

Mr. Zuraf: Yeah.

Mr. McPherson: Where the new road disappears on the upper left corner there, how far does it go before remerges with the existing Centreport Parkway?

Mr. Zuraf: Just a little bit off the screen, there would be a similar design with you know a turn-around and then the road would merge back and continue on.

Mr. McPherson: Okay, and that turn-around would allow people going northwest on Centreport Parkway to (inaudible) left and get to the...

M. Zuraf; Yes.

Mr. McPherson: Okay.

Mr. Zuraf: So somebody getting off of 95 going to the site they would, you know, head in this direction...

Mr. McPherson: Yep.

Mr. Zuraf: ... pass the site circle back around and access this way.

Mr. McPherson: That was my question, how did people for southbound 95 get there. Thank you very much.

Mr. Zuraf: So looking at some of the other amendments with this proposal, the new proffers would limit total development based on vehicle trips. This would allow for flexibility in the future development uses while assuring ... ensuring maximum amount of anticipated traffic as evaluated in the traffic study, would not be exceeded. There would be requirement to construct a roundabout at the time building is ... a building is constructed on the southeast corner of the site. Roundabout is near the access point into the site and this would ensure free flow of traffic in to and out of the site minimizing the potential for traffic backing out on a Centreport Parkway, that's the main purpose of that roundabout. The amendment also...

(Inaudible, microphone not on.)

Mr. Zuraf: Yes.

Mr. Randall: If I wanted to get to the area of the small shopping centers to the, well I guess to my right, how would I get there? Could I get there from Centreport Parkway? Or what I have to go through the roundabout, go all the way past the retail center, go all the way past the hotel and go all the way up to... so the road I'm seeing there is an out road or is it also an in road? Can I take the turnabout all the way around?

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Mr. Zuraf: Yes, so yeah, if you're coming into the site basically come up to the roundabout, loop back around and then over this way.

Mr. Randall: Go that way, okay.

Mr. Zuraf: The whole idea is if you had a full intersection here that would that would basically be a problem with traffic backing out into Centreport Parkway.

Mr. Randall: Sure.

Mr. Zuraf: So the amendment also includes some minor additions and subtractions to the list of prohibited uses that are already in place on the original proffers. The amendments would delete current streetscape design standards and requirements related to architectural theme in general layout of buildings. The new standards would replace the original building elevations with these new building elevations and require the design and construction of buildings on the property to be in accordance with these specific design standards. Also new proffers would require pedestrian improvements as shown on the GDP and require lighting fixtures and signage follow a consistent style and theme throughout the whole development. An amendment also would delete a proffer which would have required up to a \$100,000 contribution to a Centreport Parkway sector plan, this would be a contribution towards the county effort to work on overall future land use plan, transportation recommendations and design guidelines and zoning regulations for the land along Centreport Parkway and the extension of Mine Road. So this proffer was related to more of the prior requirements to construct a portion of Mine Road, the Mine Road extension and is not necessarily directly related to this new kind of development scenario. Regarding fire protection, this would amend requirements related to sprinklers and fire equipment access adding a requirement to provide emergency access to Pine View Drive. Pine View Drive is a low volume local street at the southeast corner of the site and currently the only opportunity for secondary access into the site. There are several other development standards that are proposed to be deleted, this includes the master ... a master landscape plan for the entire development, deletion of requiring any retaining wall be located 20 feet outside the RPA, a proper treatment of acidic soils if encountered and then also groundwater technical study and mitigation plan and physical delineation of clearing limits, prior to grading.

Mr. English: Mike, I guess this is probably a question for the applicant, why they wanted to delete that so do you know why? Should I ask the applicant?

Mr. Zuraf: I would defer that to the applicant.

Mr. English: Okay.

Mr. Zuraf: Yeah, the site has been identified as an area of high probability of a acidic soils and high groundwater pollution potential. Staff does recommend the proffers addressing these issues should be retained. Also I was contacted by now the Northern Virginia Conservation Trust staff who wanted to pass along some comments...

Ms. Vanuch: We all got the letter today.

Mr. Zuraf: Oh they did...

Ms. Vanuch: And all of those are in there.

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Mr. Zuraf: Yeah, they basically recommended these environmental related proffers be retained. Looking at the Comprehensive Plan it identifies a site within the Central Stafford Planning Area and the Targeted Residential Growth Area. The more detailed land use concept plan for the area recommends mixed use, commercial or residential land uses. Targeted Growth Areas are areas of the county where urban or higher density suburban development patterns are more appropriate. The site's proximity to Centreport Parkway and Interstate 95 does justify the proposed commercial uses of this property. The comp plan does also establish Airport Impact Zones to identify uses that may not be appropriate in various areas surrounding the Stafford Regional Airport. The parcel subject to this rezoning intersects with Area 4, shown on this map and that, you know, it's kind of down in this corner here. The Area 4 corresponds with Airport Compatibilities Ability Zone H-2, which is a horizontal outer flight zone where involves if planes are circling around the airport they might fly over this area. Area 4 retail and lodging is identified as a use needing additional review of the area. The area the Stafford Regional Airport Authority did review this proposal and commented on the rezoning. They noted that the development is a good match with the airport environment and did add that they would like to review the elevations of the hotel to confirm that there will be no conflict or hazard to navigation when they get to the final design stages of that. So looking at the overall evaluation there are several positives, the proposals consistent with the land use recommendations in the comp plan. Proffers provide a linkage between the ultimate amount of development and the amount of traffic that was evaluated through traffic studies. The project established as a plan for exiting the site and a manner that would have minimal impacts to the limited access roadway. The proposal is consistent with the transportation plan recommendations to support future widening of Centreport Parkway. The proposed use is also compatible with the Stafford Regional Airport operations and the building designs incorporate recommendations of the neighborhood design standards plan. As far as negatives, the proposal does remove proffers that would address potential groundwater pollution and acidic soil issue concerns that were already raised. Staff is supportive of the application with the proffered conditions and staff does recommend the applicant retain the proffers that mitigate potential impacts to ground water pollution in acidic soils and I'll answer any questions at this time.

Ms. Vanuch: Mr. McPherson go ahead.

Mr. McPherson: Mike, I might have one question, if I may. I did my math correctly from the previous proffers for the current one we've gone from 50,000 square feet of retail to 380,000 square retail on 8.7 acres and if I recall correctly retail is one of the types that generates more traffic than office or hotel. And then looking at the impact statement that was included with this, the 2017 impacts traffic study showed 1,212 p.m. peak hours. Is that based on the new proffer... the impact study?

Mr. Zuraf: Yes, it is.

Mr. McPherson: Okay, so having that much retail space the 8.7 acres is going to generate 1,200 trips per day p.m. and 1,900 per day on Saturday peak hour trips>

Mr. Zuraf: Yes.

Mr. McPherson: And is that within the capacity of the road currently?

Mr. Zuraf: That's how the design of the roadway as shown was based on the anticipated amount of traffic on its showing on the GDP...

Mr. McPherson: Okay, thank you very much.

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Mr. Zuraf: ... and retail uses.

Mr. McPherson: Okay.

Mr. Bain: Mike, do you have any, maybe the applicant would have to tell, what is their build out date for this? When are they hoping to have everything constructed?

Mr. Zuraf: It's different phases to it so I think I would defer to the applicant to kind of explain their plan.

Mr. Bain: Okay, I will wait and ask them. If you could go back to the original GDP drawing that you had, I know that's way back there. There we go. That shows development on the northeast side of Centreport Parkway.

Mr. Zuraf: Yes.

Mr. Bain: And the drawings that we've received on this proffer amendment did not indicate any development up there. What's the plan for that parcel or portion of the parcel? Is that going to ultimately be developed or does this amendment preclude development of that area?

Mr. Zuraf: Yes, initially I failed to mention, as the application initially included that area but they are still working through getting the access to the this lower southern site, you know, that was the focus of their work with VDOT and so they modify the application. The amendment only applies to the lower portion and this upper... the smaller upper piece, that's not subject of this request. So that upper piece is still going to be subject to the prior use restrictions and access restrictions so...

Mr. Bain: Okay, but it... they could come back with a development plan and even another amendment...

Mr. Zuraf: Yes.

Mr. Bain: ... for that. Okay.

Mr. Randall: One questions for staff. Was the number of peak car trips... was that based on a number they got from you or is that something that they came up with themselves?

Mr. Zuraf: Well it's done... it's all done through applying the anticipated uses and determining the amount based on the ITE manual, the trip manuals which have averages...

Mr. Randall: Okay, I see based on what I'm looking, at I see about 1,500 parking spots with the 1040 underneath and the roughly 500 maybe not 500 but somewhere close around the outside of that retail center, and yet they only expect 1,200 per day? It seems like that it's not... it doesn't work if they expected 1,200 per day, I'm not sure why they would have 1,500 parking spots. Do...am I... does that makes sense?

Ms. Vanuch: Maybe the applicant can address that.

Mr. Zuraf: I would have to....

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Mr. Randall: No, I just wondered if you noticed the same thing and whether it's based on ... whether that number was based on ... I mean if there's two retail stores in there or 20 retail stores in there, that that could make a difference as to how many cars they having through there. So my guess is that they're gonna take the 1,200 and say well 2 stores will give us 1,300, 4 stores will give us 1,200 so we only have 4 stores and that 320,000 area of retail space and I'm not sure that that makes sense to me.

Mr. Zuraf: No, it should have been based on the full use of that and not necessarily limitations at any one time.

Mr. Randall: Sure, so I hesitate to think that that's gonna be their... and then again if we proffer that how do we assure that that's actually what they're gonna meet? How do I guarantee that okay it's only 1,200 so we expect only 1,200, so we're only going to limit you to this number of retail retailers.

Mr. Zuraf: Well we've had that proper in some other cases and how we've applied that is we basically at the time of site plan, though we do proffer implementation review and check the proffers and they would have to include what their square footage is and their traffic generation each time.

Mr. Randall: Sure, my only point is...

Mr. Zuraf: We have to make sure, we'll make sure it's not low.

Mr. Randall: I think that area and then the changes to Centreport Parkway, I mean, I think it would substantially... would it would hold much more than 1,200 I don't know? I was thinking that that's a low number...

Ms. Vanuch: Let's ask the applicant.

Mr. Randall: I just didn't know if you had any background.

Mr. Zuraf: I would need to look...

Ms. Vanuch: I see they're chomping at the bit to come down here.

Mr. Randall: Yeah, they can come.

Mr. Zuraf: Okay.

Ms. Vanuch: Come on down Ms. Karnes, good to see ya. How you feeling?

Ms. Karnes: Good evening Madam Chairman, Planning Commissioners and staff. My name is Debarae Karnes, I work for Clark Leming and I am an attorney and planner. Now, when you guys asked your first question I was going to ask for guidance whether I should address that first question now or later but now I think I have five and I think it makes more sense Madam Chairman for me to address those questions first. First of all the traffic, it's quoted in peak hours which roughly is 10 times the daily traffic. So I believe, I think the number was 1,201 peak hour weekday traffic and so that's not 1,200 cars a day, but an average of the cars that come in per hour during the peak hour. As far as how the traffic was calculated, there were very intense studies done between traffic engineers and VDOT that basically use the combination of traffic data, traffic counts and the maximum amount of traffic generated by the most intense use allowed on the site. And your control will be just like as parking is allocated during site planning, the minute a use is proposed for an occupancy permit, that tips the traffic above the

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proffered numbers, that will be turned... that use will be turned down. And believe you me the applicant would not submit proffers that either under part or allowed insufficient access into the site because they want the customers to come. If you picture the original 2007 application and you saw the site had development on both sides of Centreport Parkway, our focus this time was access from Centreport Parkway and there was no way to get access to the other side. We elected to leave that out of this application, when the north side develops, when an if, it will have to develop pursuant to the old proffers unless the applicant comes in and rezones it, which I would suspect would be the probability. At which chance you'll have another chance to ask for a traffic study and another chance to ask and negotiate proffers. Build out, the applicant does not know when build out will occur. They tell me that marketing of the site really cannot even commence, it had inquiries, but no one will be serious until they hear the proffer amendment has been approved. They are ... I was standing up back there because I had to get up from sitting, they are chomping at the bit to get going and I know there is a potential user actually in the audience here tonight listening. I don't think they will. You know, we're all curious there have been several types of development floated over the past three years including it one part at one time major regional household...

Ms. Vanuch: Like a home store. What happened with that by the way?

Ms. Karnes: Well, I still... it's still up there but what they told me is the retail market is a moving target and some things have changed in the three years that this application has been pending. And that's kind of what I want to talk about, we filed this in 2006 and we filed the application because the applicant was unsuccessful in getting a project started, getting the necessary right-of-way. I think originally they fought some of the approved rezoning in the area would be approved, or I'm sorry it was approved but would get started, it didn't. There has been no development out there and this project represents an opportunity to jumpstart as appropriately regulated by the County, development on a major intersection that can market to both local and regional markets. When we critiqued the proposal and thought about bringing it to the Planning Commission and the Board we said that we need it to get certainty on whether we could access the southern side through Centreport Parkway, because otherwise you'd be approving a pig in a poke. You want to know what the access will look like and the impact. Centreport Parkway is a restricted access highway, you know the purpose being they don't want to decrease the speed of traffic movement on, you know, a major roadway. We spent a good two years working with VDOT, we obtained an endorsement and concept from the Board, that was one of the requirements for an application, we did massive traffic studies and we took it to the CTP that's the Commonwealth Transportation Board in Richmond and obtained their approval in what is it September 2018. And we're now before you. The way, it's an interesting concept because the idea is to avoid slowing traffic on Centreport, only right turn ins will be permitted so that means ... and further the movement of traffic away, leaving the project is going to be monitored. Okay, let me explain that. So if you were coming off of the 95 exit and heading west, you're going to go down Centreport until you reach a point where there has been ... there will be improvements to allow a turnaround, so the car will travel back toward the Interstate allowing a right turn in to the project. And when the cars leave they will also take a right turn out but they will be monitored by some kind of meter, the most common meter is a stop sign. I've seen them in Northern Virginia they're elsewhere, basically they are set to make sure that too much traffic doesn't enter on two Centreport at one time in a manner that will slow the through traffic. There's one in Alexandria, I believe, as if you were going to Alexandria hospital and then turning on southbound 95, you have to stop and wait for the green light to turn on before you enter the expressway ramp. All of this is off of the road and all of this will be combined with very itemized road improvements that the applicant has proffered to do at his own expense. It's quite innovative and I think he's going to set a precedent that others will follow here in Stafford County. Okay, so I think I've given you most of the history, I think the applicant has I'm sorry ... the county representative has discussed it also very thoroughly. The other important things about the new proffers, I want to stress again there's not that

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much change between the maximum amount of the development and the old proffers and the development and the new proffers it's much heavier on retail there is no office market out there but office is allowed in the B-2 zone. Finally it's going to be the amount of development will be more finely tuned to the numbers studied... the number of traffic study by the engineers and approved by VDOT. So I think that gives the county additional protection as far as the amount of traffic. Staff recommends approval, they note it's consistent with the Comprehensive Plan, they note it's consistent with the Airport Overlay proceedings, they note that it's consistent with the comp plan design standards and then they asked for changes in two of the proffers. And someone asks what the reasoning was, why don't we take it out. And I think that's what you want to hear, yeah. Okay, so the first proffer dealt with acidic soil and we had a meeting with our engineer Bruce Reese who unless he walked in since I stopped... started talking he had a meeting in Fredericksburg and couldn't be here. But for the acidic soils, much of what was in the proffer he told us was now a requirement of the site planning process, but not all. And we thought it made better sense to take it out, that was the thought process. If it's important to you we'll put it back in.

Ms. Vanuch: I could save you a lot of time, put all those items back in and I think you can probably we can open up the public hearing.

Ms. Karnes: So I'm authorized number one, to put that back in exactly how it's written which avoids the issue of my having to write it from the podium, which is always better. Now as to the groundwater, Mr. Reese advised us we didn't need it and on a phone call on Fri... I'm sorry on Wednesday, he reiterated his advice and I'll tell you what he said. He said that he still didn't think it was necessary. He said we will not be tapping the groundwater and our earth work, while extensive should not significantly impact drainage divides or groundwater recharge. Yeah, keeping in mind we're gonna be served by public utilities, so we're not using any public waters. It's not an issue of water quantity and by the way you guys said you got an email from the Northern Virginia Land Trust, no one gave it to me.

Mr. English: I forwarded it to you earlier.

Ms. Vanuch: All it says, I will read them really quick. It was basically what staff reiterated.

Ms. Karnes: Okay.

Ms. Vanuch: Any retaining walls be located 20 feet outside the limits of the Critical Resource Protection Area, that's number one number. Number two, proper treatment of acidic soils if encountered. Number three, a groundwater technical study and a mitigation plan. And four, physical delineation of clearing limits on the site prior to grading plan approval.

(Inaudible, microphone not on) page 12..

Ms. Karnes: Okay.

Mr. English: Debrarae.

Ms. Karnes: And if I could ask a question of Mr. Harvey, is physical delineation of disturbance required at site plan? I don't know.

Mr. Harvey: Madam Chairman the County Code with regard to erosion control in review of site plans requires the applicant to delineate the limits of clearing and grading.

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Ms. Vanuch: So there's no difference to keep it in, just to make the Northern Conservation Trust happy?

Mr. Harvey: The plan is required to delineate it. There are other mechanisms to prevent people from going beyond those limits, I'm not sure if that's the concern.

Mr. English: But, can you put those back in Debrarae?

Ms. Karnes: If you will allow me to consult my client.

Ms. Vanuch: Yeah. I you what, we'll do the public hearing ...

Mr. English: While you are doing that.

Ms. Vanuch: ... and then you guys can go outside or talk.

Ms. Karnes: Okay.

Ms. Vanuch: And then if anybody, I don't know if anybody plans to talk and then you can come back.

Ms. Karnes: Are you saying you're gonna prove it tonight if we do that?

Ms. Vanuch: I'm only one vote, but depends on what the public hearing, we gotta wait on the public hearing.

Ms. Karnes: Okay.

Ms. Vanuch: I don't see a lot of people so I can't imagine there's an outraged crowd.

Ms. Karnes: Okay, I will talk to my client.

Ms. Vanuch: Alright, Mr. Zuraf.

Mr. Zuraf: One of the... on that point with the clearing of limits it... what the proper talks about is delineating the site with orange safety fencing so that's that that extra step of...

Ms. Vanuch: Okay.

Mr. Zuraf: ... making it very clear with bright orange safety fencing...

Ms. Vanuch: Alright.

Mr. Zuraf: ... on the property clearing limits are.

Ms. Vanuch: Perfect.

Mr. English: Okay.

Ms. Vanuch: Okay, why don't we go ahead and open up the public hearing. If you're here tonight to discuss any items on this Centreport Parkway, Centreport Gateway proffer amendment please come on

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down to the podium state your name, address, the district you reside. When the green light comes on you have three minutes, when the red light comes on please conclude your comments. Anybody want to come down?

Mr. English: Somebody.

Ms. Vanuch: Mike, do you have a comment? I see this couple over here chit-chatting. Alright, so we don't have anybody, I'm gonna go ahead and close the public hearing and turn it back over to Ms. Karnes when she is ready. Of course we made her walk all the way back down there.

Ms. Karnes: Madam Chairman, we would like to ask your indulgence and to give us five minutes to make a phone call.

Ms. Vanuch: Okay. Ms. Lucian, what's the protocol on that? We just hold on to this one and move on to the next item?

Ms. Lucian: I would probably stick to this one for now it's probably easier. You could just recess.

Ms. Vanuch: Okay, is everybody okay to take a five minute recess?

Mr. Bain: Yes.

Ms. Vanuch: Okay, alright.

Recess at 9:00 p. m.

Reconvened at 9:03 p. m.

Ms. Vanuch: Alright guys we are going to get ready. Alright, I think we're all good at finding our seats. Ms. Karnes what's the verdict?

Ms. Karnes: Okay, so I just want to make sure I am thinking, I am agreeing to what you have asked for. You have asked that we restore former proffer 9, retaining walls. Former proffer 10, acidic soils. Former proffer 11, groundwater pollution mitigation measures, and did you still want the disturbance? And which...

Mr. English: Everything.

Ms. Karnes: I'm not sure I know what...

Mr. English: Debra...

Ms. Karnes: ... which proffer that is.

Mr. English: On page 12...

Ms. Vanuch: It's just says physical delineation of clearing limits on the site prior to grading plan approval and Mr. Zuraf got up and spoke right when you were walking out that that means basically one of those orange safety...

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Ms. Karnes: Um hum.

Ms. Vanuch: ... net looking fence things.

Ms. Karnes: I'm just trying to figure out how to how to describe that and any agreement I make. 14, okay alright.

Ms. Vanuch: Mr. Zuraf, do you have it, do you want to show it to her?

Ms. Karnes: Yep, I've got it here. Okay, so Madam Chairman as you had feedback from the Commission and in an attempt to move the project along we agreed to restore the following proffers that are currently crossed out. That would be proffer 14, clearing limits. Proffer ... bear with me I'm trying to say something that makes sense on the record. It was, I believe, former proffer 9, former proffer 10 and former proper 11. Does that match your records Mr. Zuraf?

Ms. Vanuch: And that includes the delineation of clearing limits too?

Ms. Karnes: That was 14.

Ms. Vanuch: Okay, 14. Okay, got it.

Ms. Karnes: And we would ask that the Commission consider amending their by-laws to allow proffers to be changed tonight and to approve this proffer amendment.

Ms. Vanuch: Thank you, does anybody have any questions for Ms. Karnes before she sits down and we bring it back to the Commission? Mr. Randall go ahead. I know you got to ask it, go ahead.

Mr. Randall: Can you go to the GDP for me real quick? Do you have it?

Ms. Karnes: I think I have it in front, right?

Mr. Randall: Can you tell me the basis for the southeast area being facing away from the hotel and the retail center? The backs are facing the hotel so the hotels gonna look at the dumpsters, the loading areas rather than having everything face to the middle?

Ms. Karnes: My honest answer is I don't know the justification for this.

Mr. Randall: Okay. Alright, it would seem that with a buffer that we're gonna have between the retail and the Centreport Parkway that it you would want everything facing to the middle so everybody sees...

Ms. Karnes: Mm-hmm.

Mr. Randall: ... the middle. But you don't know the reason why they...

Ms. Karnes: I don't know, I'm sorry.

Mr. Randall: Okay. Alright. Thank you.

Ms. Vanuch: Alright, any other questions? Okay seeing none. Thank you so much Ms. Karnes.

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Ms. Karnes: Thank you.

Ms. Vanuch: I will bring it back to the Planning Commission. Mr. English, this is in your district, what would you like to do?

Mr. English: Do we have to make a motion to waive the by-laws for the proffers?

Ms. Vanuch: Yes.

Mr. English: I'm making that motion to waive the by-laws to make these proffer amendments.

Ms. Vanuch: Do we have a second?

Mr. Boswell: Second.

Ms. Vanuch: Alright, so motion on the floor to waive our by-laws so we can make new proffer changes this evening with a second by Mr. Boswell. Any comments?

Mr. English: Nope.

Ms. Vanuch: Okay go ahead and vote. Motion carries 6-0 with one absent (*Mr. Apicella absent*). Mr. English.

Mr. English: Alright, I'd like to make a motion to approve reclassification with the amendment... proffer amendments adjustment with RC16151310, I make a motion to approve that.

Mr. Boswell: Second.

Ms. Vanuch: We have a motion on the floor by the Commissioner English to approve the reclassification for Centreport gateway proffer amendment with the stated proffer changes this evening, with a second by Commissioner Boswell. Any comments gentlemen?

Mr. English: No ma'am I'm hoping that this thing will go... move forward like they said get something going on Centreport so...

Ms. Vanuch: Yeah. Mr. Boswell? Anyone else? Alright go ahead and vote, tally the vote. Motion carries 6-0 with 1 absent (*Mr. Apicella absent*).

4. Amendment to the Stafford County Comprehensive Plan - Bicycle and Pedestrian Facilities Plan - A proposal to amend the Stafford County Virginia Comprehensive Plan 2016-2036, adopted on August 16, 2016 (Comp Plan) by adopting a new document entitled "Bicycle and Pedestrian Facilities Plan" and by amending Comp Plan Chapter 2.2, "Goals, Objectives and Policies," and Chapter 4.4.7, "Bicycle and Pedestrian Facilities" to incorporate references to the Bicycle and Pedestrian Facilities Plan. The proposed amendments would identify bicycle and pedestrian facility needs within Stafford County with a goal of improving safety and enhancing connectivity locally and regionally. **(Time Limit: August 14, 2019)**

Mr. English: Alright, I'd like to make a motion to approve reclassification with the amendment... proffer amendments adjustment with RC16151310, I make a motion to approve that.

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Mr. McPherson: Second.

Ms. Vanuch: We have a motion on the floor by the Commissioner English to approve the reclassification for Centreport gateway proffer amendment with the stated proffer changes this evening, with a second by Commissioner Boswell. Any comments gentlemen?

Mr. English: No ma'am I'm hoping that this thing will go... move forward like they said get something going on Centreport so...

Ms. Vanuch: Yeah. Mr. Boswell? Anyone else? Alright go ahead and vote, tally the vote. Motion carries 6 with 1 absent (*Mr. Apicella absent*). Moving on to item number four amendment to the Stafford County Comprehensive Plan for the Bicycle and Pedestrian Facilities Plan. Mr. Geouge, we're gonna recognize you very briefly for this because you've shown us this plan 33,000 times. Hit the highlights.

Mr. Geouge: Good evening Madam Chairman, members of the Commission; Brian Geouge of Planning and Zoning. I'll be presenting our new Bicycle and Pedestrian Facilities Plan tonight, which has been in the works for some time. So, we're happy to bring it to public hearing tonight. This project is to provide an update to our 1996 Stafford Bicycle and Pedestrian Facilities Plan to reflect current conditions, public needs, existing and planned project safety, and other related planning efforts. This will be a element of the County's Comprehensive Plan. Just a quick rundown of the history developments. This effort started back in the end of 2017, where we developed a work plan, identified key stakeholders, established a staff working group which consisted of Planning staff, Public Works, and Parks and Recreation. And developed initial route recommendations. In June of 2018 we shared those initial recommendations to key stakeholders and made adjustments to the plan based on input received. In August 2018 we conducted an online survey for this and held two public workshops and made further adjustments to the plan. In March of this year we completed the initial draft and shared it with county staff, public contacts and other stakeholders. And in May we presented this to the Planning Commission and made further adjustments, and the public hearing was authorized. In this next section I'll cover some of the different factors that were evaluated in the development of this plan. On this slide you'll see our existing conditions in the county. On this map you'll see a lot of orange lines, those represent sidewalks which are mainly developed within newer neighborhoods and along certain commercial corridors. The blue line represents bike lanes which we have only along Deacon Road and Cool Spring Road currently. And the red line represents shared use paths which are paved 8 to 10 feet in width and accommodate... can accommodate both pedestrians and cyclists. Those are located along Mine Road, Courthouse Road, Celebrate Virginia Parkway, a small section of Truslow Road, and the Belmont-Ferry Farm trail is also, a shared use path. The green line represents the East Coast Greenway and the small symbols represent US Bike Route 1. Both of these are Maine to Florida routes that happen to run through the county. And the double solid route line represents the Potomac Heritage National Scenic Trail, which for the most part follows the East Coast Greenway alignment. We looked at current and planned projects when developing this plan including the new interchange, which does incorporate pedestrian/bicycle shared use facility crossing. As well as Courthouse Road widening, which provides a shared use path all the way out between the new interchange and Winding Creek Road. Another projects is Route 1/Courthouse Road intersection, right here at the complex, which is supposed to have some pedestrian improvements and crossings with that project. And the Belmont-Ferry Farm Trail which is currently under phase four of construction, which will complete two and a half miles of that trail. And the lower right picture here, you'll see Chatham Bridge, which was mentioned in the public hearing earlier. This is going to go out for bid for reconstruction next year. They are supposed to start in the second half of next year. This will include a shared use path... protected shared use path on the south side of the bridge which will tie into that Belmont-Ferry Farm Trail. And we also looked at safety

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concerns, so this map shows accidents since 2014 which include 67 recorded vehicle/pedestrian crashes. Six of which were fata, those are represented with the red circles, 17 recorded bicycle crashes, one of which was fatal and those are shown as the yellow star. And we noticed that most crashes are occurring along Route 610, Route 17, Route 1 corridors. The more heavily developed corridors. And notice that many of these are occurring in areas with inadequate sidewalks or crosswalks. Real quickly on planning efforts, there are numerous other planning efforts that correlate to this plan. First which is the 2016 the 2036 Comprehensive Plan which, provides some general recommendations for bicycle and pedestrian facilities. And the map shown here is the transportation needs map from the Comprehensive Plan, which we used as a tool to plan for future connections and try to associate those with new road construction or road improvements. We also looked back at the 1996 Plan and tried to carry over any recommendations that were still relevant today. And we looked at planning areas too. So, one of the big topics recently has been new Downtown Stafford, which is envisioned to be a pedestrian friendly environment and recognize that the success of that area is going to depend partly on its connection with the adjacent communities and other destinations to encourage people to walk and cycle to downtown. And for the Economic Development Strategic Plan, we did look at that and we did have several discussions with the Economic Development and recognize that this plan forwards those efforts and that it creates a more attractive community for businesses and residents and also helps tourism initiative. The Parks Utilization Study that mainly focuses on areas within the parkland, but also recognizes that non-motorized connections to parks is beneficial for their success. And the Comprehensive Road evaluation which was completed recently by public works provides mainly safety improvements for motorists but recommendations of this plan can be utilized to help prioritize some bicycle and pedestrian facility improvements. And the 2040 Stafford Strategic Plan also ties in with these initiatives in that this has objectives for encouraging recreational development and addressing transportation issues. And the FAMPO long range transportation plan was also recently updated which provides recommendations for the county. We took a look at those and sort of expanded on those for this plan. Also a couple others, the Virginia Outdoors Plan, the Targeted VDOT Studies, which there's one completed for US 17 business, which provides more specific recommendations for that corridor which include pedestrian improvements to improve safety. And also adjacent jurisdiction plans to ensure that what we're proposing is going to tie into other localities. Key stakeholders identified with this project include adjacent localities, state entities such as VDOT, DRPT, and DCR. Of course Stafford County entities, our various departments in the county, regional planning organizations such as GRWC and FAMPO. Regional trail organizations, we also reached out to the Fredericksburg Area Business Association, Quantico planning staff, Stafford Airport staff, and local running and cycling clubs. For the community input survey we had 538 responses. When we asked about cycling comfort level the majority of respondents noted that they were interested but concerned, which means that a large proportion of the population is likely to benefit from additional safe facilities, people who may not be walking or cycling very much today. Most cited safety concerns and lack of facilities as factors as discouraging walking and biking, most indicated that they are most likely to use shared use paths and scenic or nature trails, which is... which we used in driving some of the recommendations of this plan. And we also had an open comment section of the survey and some of the common themes where safety was a big concern, additional facilities were needed along major corridors, additional facilities along certain secondary roads such as Onville, Flatford, Eustace, and Leeland. Facilities needed along Brooke Road to facilitate access to Crow's Nest was mentioned a lot, facilities needed to allow safe travel across I-95, and the need for increased maintenance of what we have out there today. For facility recommendations we want to create connections that serve as a viable alternative to traveling by vehicle. And the goal for that is to establish safe connections and pedestrian routes to destinations such as parks, schools, libraries, shopping centers, places of employment, transportation hubs, and adjacent jurisdictions. And central to the strategy is providing connections between these destinations to neighborhoods to allow people to complete these trips without having to get into a car. For our facility recommendations we have a regional or arterial routes identified on a countywide map shown here. On the left you'll see two

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different facility types. The one on the top is a shared use path, which is indicated as a red dashed line. These are proposed shared use paths, they or more focused in the urban areas of the county. And on the bottom you'll see a dashed gray line and that represents shoulder widening which are recommended for the more rural areas of the county. And also see here that we have proposed a realignment of the East Coast Greenway, which we were proposing to run through new downtown Stafford, take advantage of that crossing that's being put in with the interchange and shared use path going in along Courthouse continuing along Mine Road extended through Centreport Parkway which is planned to be upgraded at some point, and down to Truslow and eventually down to connect into the Belmont-Ferry Farm Trail. And you'll also see a green corridor generally following the Rappahannock River, which we're proposing for some type of facility. It could be more of an off-road or nature explore trail and it could utilize some of the land that the city owns along the river. And then we get into more neighborhood recommendations, so this is just one of the several maps that we have for that, and focuses on the northern end of the county. And this identifies those routes which I just covered but also highlights sidewalk connections, which could be beneficial to complete some of these more local connections, and those are represented as the dashed orange line. And these also show local points of interest such as schools and parks and transit hubs, park and ride stations and things like that. And we're also showing power easements on these maps which in certain cases could be utilized for trail development, particularly this one that kind of follows Courthouse Road we saw as a good opportunity. For implementation we're recommending adjustments the Comprehensive Plan per resolution R19-135, recommending incorporating these recommendations into special area plans, to evaluate ordinance requirements for the provision of facilities, and to work with developers to construct these sections, and also to incorporate facilities with linear infrastructure projects such as road projects, utility projects, and also to prioritize these projects based on factors such as safety, gaps in existing network, community needs and related planning efforts. And we also recognize that we need to focus on maintenance needs both with new facilities that are constructed and existing. And we identified several funding sources including Transportation Alternatives Program, which provided the majority of the funding for the Belmont-Ferry Farm Trail. Highway Safety Improvement Program or HSIP as another resource revenue sharing program which is a 50/50 reimbursement program through VDOT. Also Smart Scales, one we use quite often for Road improvements, which can incorporate pedestrian and bicycle improvements. And also look at other sort of outside of the box opportunities such as private partnerships and volunteer groups and level leveraging those resources. And also we want to keep community members informed and engaged and that could be through a website where you go and get all sorts of information on biking and walking in Stafford. Next steps for this is to hold the public hearing and make further adjustments as needed and to make a final recommendation of the Board by August 14th.

Ms. Vanuch: This is the public hearing.

Mr. Geouge: Yes it is.

Ms. Vanuch: Yeah, okay thank you. Alright, so I'm gonna go ahead and open up the public hearing. Would anyone like to come down and address the Commission? Same rules as the other three.

Ms. Aguirre: Good evening everyone, my name is Andrea Aguirre and I live in the Widewater area. I'd like to take a moment to thank the county for moving forward on this initiative, it's been too long and Stafford is overdue in addressing active living in the county. As a military spouse I never thought Stafford would be my home. I moved here a few years ago with the thought I'd be out of the area just as quickly. Little did I know my family would permanently make Stafford home, and because of that I see so many opportunities for this county and understand that there's a lot of growth going on and a lot of catch-up to do. There's an opportunity for improving the health and social cohesion of Stafford's residents and using infrastructure to help stimulate that. My time didn't start. As a public health

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professional it's important to me to be a part of that process and to drive change. As a Stafford citizen it's important to me to live in a place where community health thrives among all residents. With that in mind I'd like Stafford County... I'd like the Stafford County's Bicycle and Pedestrian Facilities Plan to specifically identify the proposed plans in the low income areas of the county. On page 5-2 the section titled low income areas is listed with a statement that lower income areas of the county should be considered when prioritizing pedestrian and bicycle facility improvements. A similar statement is described in the section underserved areas on the same page, and has it not... section actually has an associated map that highlights areas of the county with little pedestrian infrastructure. But where's the matchup with the county's low income citizens and the absence of any infrastructure to support their active living? Our County's low income citizens face additional barriers that impact their ability to engage in healthy lifestyles. I request that the planning team look at whether the proposed plan reinforces negative attributes in Stafford's low income area specifically such as missing sidewalks or limited connectivity to public transit. As well as identify opportunities for targeted improvements in these specific low income areas such as street lighting or crosswalks. I've been involved in the project almost from the beginning just providing my input, staying engaged, active living as a passion of mine, but I haven't got to practice in a long time so I was really excited to see that Stafford was moving forward on this particularly because it had been so long. So I really appreciate you guys taking this on and I hope it becomes a priority so we can improve the health of all of Stafford citizens. Thank you.

Mr. Shubin: Thank you for this opportunity, my name is Mark Shubin and I'm here representing the Friends of Widewater State Park, obviously Widewater District. And what I would like to say is that we the Friends of Widewater State Park are partnering with the state park to try to establish a trail along Brent Point Road, approximately four miles long and the need for this is obviously to tie the five separate parcels that make up the state park together. So that when visitors come to the park they have an opportunity to either ride a bike or walk to the different parts that that comprise the park. Right now there is no funding for that, the Friends group is working with the park to identify grant opportunities to get started on this project. And I'm curious, you know, I noticed on the map that it showed that there's going to be some road shoulder improvements but what exactly does that mean? Will there be enough road shoulder to provide safe access for bicycles and pedestrian travel along Brent Point Road? And I think that there is an opportunity in several forms, one to partner with DCR and Virginia State Parks because obviously DCR and state parks have the land to provide major sections of this needed trail. But also it's my understanding that Dominion Energy is going to be putting their power lines underground out there on Widewater at some point in the future, and I think there's an opportunity to probably partner with Dominion to actually maybe complete a full four mile trail along that corridor. Again this is something that's needed, I've been out there, I've seen bicyclists, I've seen joggers on the road that basically have to dodge the traffic that currently exists and we anticipate that the traffic is going to continue to increase as the park develops out there. They're in the process now of building a marina, or not marina, but boat launch facility on the upper end of the north side of the north parcel of the park, which is going to be bringing a lot more people down into that peninsula and providing a pedestrian/bicycle corridor to be able to access the rest of the park may lessen the traffic actually running down Brent Point Road into the community down... into the private sections of the community down there. Anyway thank you very much for the opportunity to address you all regarding this.

Ms. Vanuch: Thank You. Anyone else? Okay, seeing none, we're gonna close the public hearing and bring it back to the Planning Commission. Does anyone have any questions for staff?

Mr. English: We need to make a...what do we need to make a motion to approve this?

Ms. Vanuch: Yes, to refer to the Board.

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Mr. English: Alright, I now make a motion to approve the plan to send it to the Board, I'm... that's my motion.

Ms. Vanuch: Do we have a second?

Mr. Bain: Second.

Ms. Vanuch: Okay, so we have a motion to approve the Bicycle and Pedestrian Facilities Plan and refer to the Board of Supervisors with our recommendation; second by Commissioner Bain. Any further discussion?

Mr. English: No ma'am.

Ms. Vanuch: Okay, go ahead and vote. Okay motion carries 6-0. Okay moving on to Unfinished Business, the Amendment to the Zoning Ordinance is A-1, Agricultural Zoning. For this we recognize Ms. Kathy Baker. Wait, did I mess up?

Mr. English: No, you are right.

Ms. Vanuch: No, I'm right. Ms. Baker would could probably just hit the one... the items that we changed.

UNFINISHED BUSINESS

5. Amendment to Zoning Ordinance - Proposed Ordinance O19-21 would amend Stafford County Code Sec. 28-25, "Definitions of specific terms" and Sec. 28-35, Table 3.1, "Table of uses and standards," to created definitions of uses within the A-1, Agricultural Zoning District and amend uses and how such uses are permitted. **(Time Limit: September 6, 2019) (In Committee)**
(Authorize for Public Hearing by: July 10, 2019)
(Potential Public Hearing Date: August 14, 2019)

Ms. Baker: Yes, good evening Madam Chair, members of the Commission. This item is amendment to the zoning ordinance regarding uses permitted in the A-1 agricultural district and it's recording creating and changing some definitions as well as amending some of the uses and how they are permitted. At your last meeting on June the 12th the Commission recommended a committee be formed to further discuss some of these items, in particularly kennels. The committee of Commissioner Vanuch, Boswell and Randall, was established and a meeting was held on July 1st to review these changes. So, there are several changes that have been recommended to the draft ordinance that you previously saw on June 12th and you will see the red line version that was in your package that you received in the report. So, the red line version does revise the definition of commercial kennels it increases the number of canines, felines or hybrids in that definition from five to ten. It also changed the non-commercial kennel definition and increased that number of canines, felines or hybrids from five to six. Then the minimum acreage requirement for commercial and non-commercial kennels was removed from the standards. As you know commercial kennels does require a special exception, so that ... if there's a concern for minimum acreage that could be addressed through the Board of Zoning Appeals. We did realize that the agriculture as a permitted use and the A-1 district should have been retained so that change was made and then there was a clarification to the way that agricultural operation was listed as a use. It now states at agricultural operation for livestock, poultry and the minimum acreage was reduced from five to two. There was also an additional clause that added other applicable agency in addition to Tri-County Soil Water and Conservation Service District. So the committee recommended in addition to these changes

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that the ... in moving forward recommendation to the Board of Supervisors that they actually send down a new ordinance request regarding minimum acreage requirements for the keeping of livestock and poultry. You ... there is a time limit of September 6th to discuss or to make a recommendation to the Board on this. So due to your summer schedule the Planning Commission should authorize a public hearing tonight in order to be scheduled for August 14th.

Ms. Vanuch: Thank you Ms. Baker. Any questions on the Commission? Alright, does anybody want to make a motion to send this to public hearing as written?

Mr. Randall: I'll make a motion to send the A-1 ordinance ... the new A-1 ordinance to public hearing August 14th.

Ms. Vanuch: Alright, do have a second?

Mr. English: I will second it.

Ms. Vanuch: Alright so we motion and a second to send it to public hearing in August, any comments? Alright, vote. Motion carries 6 - 0 with 1 absent (*Mr. Apicella absent*). Alright, moving along, item number 6, Thacker Division Waiver, Eva Campbell.

NEW BUSINESS

6. WAI19152781; Thacker Division Waiver - A waiver request of the Subdivision Ordinance, Stafford County Code, Sec. 22-5(a)(10), "Family subdivisions," for Tax Map Parcel No. 35-6R, zoned A-1, Agricultural and A-2, Rural Residential Zoning Districts. The applicants are seeking a waiver of a requirement to provide an ingress/egress easement of not less than fifty (50) feet in width pursuant to this section. The property is located on the west side of Richards Ferry Road, approximately 2,000 feet south of Warrenton Road, in the Hartwood Election District. **(Time Limit: August 25, 2019)**

Ms. Campbell: Good evening Madam Chairman and Planning Commission. I'm here to present item 6 on the agenda, which is a waiver from the Subdivision Ordinance, Section 22-5(a)(10), requiring a minimum width of 50 feet for an ingress/egress easement to serve lots greater than five acres within a family subdivision. The site is located on Assessor's Parcel number 35-6R, which is 27.16 acres. It is zoned A-1, Agricultural and A-2, Rural Residential, within the Hartwood Election District, on the west side of Richards Ferry Road south of Warrenton Road. Here's a location map which shows the parcel in question located where you see the red hashing, and here's an aerial view of the site that also shows the surrounding zoning classifications. The applicants are requesting one waiver of the Subdivision Ordinance, Section 22-5(a)(10), Family Subdivisions, for Tax Map Parcel Number 35-6R in order to create a 5.65 acre lot by family subdivision. Section 22-5(a)(10) states that each lot or property 5 acres or greater in area shall front on a road which is a part of the Virginia Department of Transportation Road system or be served by an ingress/egress easement of no less than 50 feet in width, with a minimum width of 20 feet for the roadway clear of any structures or vegetation to a road which is part of the Virginia Department of Transportation Road system. The roadway within the ingress/egress easement shall be no less than 10 feet in width. Parcel number 35-6R cannot meet this 50-foot width requirement due to the width of the parcel near its frontage with Richards Ferry Road. At its narrowest, the parcel is approximately 25 feet wide. The new family subdivision lot would be 5.65 acres, leaving the remainder of the parcel number 35-6R as 21.5 acres. The proposed ingress/egress easement would serve both the new lot and the remainder parcel. The proposed easement would still be 50 feet wide where possible, except near the front of the lot where it would be as wide as the width of the parcel allows. The distance

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from Richard Ferry Road to the point where 50 feet is achievable is approximately 100 feet. The approximately 25-foot width of the parcel would still allow for the minimum 20 feet clear of structures of vegetation in the minimum 10-foot wide roadway that's required by code. The applicants tried to obtain access through the existing Tall Tree Lane ingress/egress easement to the east; however, the neighbors were not agreeable in allowing them to use the existing right-of-way. VDOT has also indicated that a new entrance adjacent to the Tall Tree Lane entrance would be acceptable. The subdivision plat shows the proposed family subdivision of lot 1 and their proposed 50-foot private access easement. The easement will encompass the front of the lot where it is 25 feet at its narrowest. The easement will serve lot 1 and the larger parcel... the larger parcel to the rear. You can see the portion where it is... the only part where it does not meet the 50 feet is here and back, and everywhere else it would meet code requirements of 50 feet in width. The applicant formally requests that the Stafford County Planning Commission consider the waiver request from Section 22-5(a)(10), Family Subdivisions. Section 22-241 of the Subdivision Ordinance specifies that criteria must be met in order for a waiver to be granted by the Planning Commission. The applicant must prove the application of the ordinance requirements would impose an unreasonable burden on the owner and the waiver would not have any adverse effects on future residents or the subdivision or adjoining property owners. Staff recommends the Planning Commission make findings relative to the criteria for granting waivers. And that concludes my presentation.

Ms. Vanuch: Any questions?

Mr. Randall: One quick question.

Ms. Vanuch: Yep.

Mr. Randall: Is there a particular reason why they didn't make the lot 4.9 acres and not to the 5...?

Ms. Campbell: It would still be serving both lots, so no matter what one of them is going to be over 5 acres.

Mr. Randall: So what's the... do they have a waiver now for the 1 lot that they have the 26 acres?

Ms. Campbell: It's currently a vacant lot. It has frontage on Richards Ferry Road so it wouldn't mean an easement.

Mr. Randall: So, the waiver is because they're gonna build on it.

Ms. Campbell: Because they're subdividing.

Ms. Vanuch: Any other questions?

Mr. Bain: There's no issue with regards to width versus depth of a lot? We have that ratio...

Ms. Campbell: For the easement it's the width, for the lot there are depth requirements. It can't be 5 times deeper than its width. But for the easement it just needs to be 50 feet wide.

Mr. Bain: Okay.

Mr. English: Madam Chairman, I like to make a motion to approve the waiver WAI19152781, Thacker.

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Mr. Boswell: Second

Ms. Vanuch: We have a motion to approve and a second by Commissioner Boswell; any comments? Alright, go ahead and vote. Motion carries 6-0 with one absent (*Mr. Apicella absent*). We already took care of item number 7. Planning Director's Report; Mr. Harvey.

7. Amendment to Zoning Ordinance - Proposed Ordinance O19-37 would amend Stafford County Code Sec. 28-35, Table 3.1, "Table of uses and standards," and Sec. 28-39, "Special regulations," to allow for the keeping of honeybees (apiary) within the R-1, Suburban Residential Zoning District and establish regulations. **(Time Limit: September 20, 2019)**
(Authorize for Public Hearing by: August 14, 2019)
(Potential Public Hearing Date: September 11, 2019)

Discussed at Public Presentations

PLANNING DIRECTOR'S REPORT

Mr. Harvey: Thank you Madam Chairman. At the July 2nd Board of Supervisors meeting, the Board sent you a proposed ordinance to amend the zoning code with regard to recreational amenities in residential developments located in floodplains. Basically, it requires that these amenities be elevated outside of the floodplain pursuant to residential building construction standards. This was an issue that the Commission initiated at the Chairman's request, so staff would ask consideration for authorizing a public hearing.

Ms. Vanuch: Do we... can we just authorize it right now?

Mr. Harvey: Yes ma'am.

Ms. Vanuch: Alright...

Mr. English: So moved.

Ms. Vanuch: Alright, perfect. Do we have a second?

Mr. Boswell: Second.

Ms. Vanuch: Alright, let's vote. Motion... yeah do we need to specify a date?

Ms. Lucian: I think a date's helpful. Is August full? You can do that.

Mr. Harvey: Madam Chairman, we could send it to August 14th or the first September meeting.

Ms. Vanuch: Let's do... let's do August 14th.

Mr. Harvey: Okay.

Ms. Vanuch: Alright.

Mr. Harvey: Thank you.

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Ms. Vanuch: Thank you.

Mr. Harvey: Another item to bring to the Commission's attention is that on July 2nd the Board also passed Resolution R19-188, which is at your desk. It establishes a new policy for the processing of zoning reclassification applications and proffer amendments. As you well know, the state law changed effective July 1st to allow more flexibility with processing of rezoning applications. However, the state law, when it changed, did not affect prior versions of the state law and how they apply to proffer condition amendments. So, in essence, we have three different sets of state law that we have to abide by for processing of proffer condition amendments. So, some of these policies speak towards that and also provide some clarity for the applicant and the Planning Commission throughout the process. Specifically, the applicant, in their application form, is going to have to identify what set of the proffer legislation they're going to follow under. With the proffer amendment, if they're doing one, they have to also provide the ordinance reference to when that proffer was initially adopted, so it makes it clear as to what set of ordinance provisions they are falling under and we have the correct one identified. Also they should... staff would acknowledge what applicable code section for proffers would apply as we're processing the application to the Planning Commission and the Board of Supervisors, so it makes it very clear as to whether you're in a discussion with the developer about whether or not the proffers are reasonable or not. Also, the proffer statements have to be submitted in writing and executed in advance of us authorizing or advertising public hearings. That goes to some of the new legislation whereas in the old legislation certain types of proffers are unreasonable. But under the new legislation, they could be considered reasonable if the applicant has voluntarily signed a statement that they have found them reasonable and are offering them up. Also, with the public hearings, if there's a need to re-advertise the public hearing because they've gone and had discussions with the Commission and have to rework the plan or they decide that they're gonna change their application to fall under the new statute and it requires a re-advertisement, this policy clearly states it's on the applicant's dime to pay for the cost to re-advertise. That's something that was unclear previously. Also too, the state code stipulates that the Board of Supervisors has to act on a rezoning application within one year of it being filed. We often run into situations where we bump up against that one year requirement. This clearly states in this policy that the applicant has to request an extension from either the Planning Commission or Board of Supervisors, depending upon where they are in the review process. And then ultimately, if their application isn't acted on within 18 months of it being filed, it would be administratively closed or they can request an extension from Board of Supervisors to go beyond 18 months, but with specific criteria as to when they're moving forward and what steps they are going to take to move forward. Staff notes we have a number of zoning reclassification applications that have been sitting around for years and are sort of dormant and that creates problems for the Commission and Board later on when we are re-advertising and what did we cover previously and what we didn't cover previously, so this will help clear the decks on that.

Ms. Vanuch: Okay.

Mr. Harvey: And then finally, on July 2nd the Board had more discussions about their Healthy Growth Initiative and gave more direction to staff with regard to changing rural densities for the A-1 zoning districts and also expanding the TDR program. And I'll be getting back to the Commission in more detail about specifics that the Board said that we should be working towards this Healthy Growth Initiative into the next year 2020, and we anticipate coming back to the Board on August 20th with a more detailed timeline for their consideration. And that concludes my report.

Ms. Vanuch: Thanks. County Attorney's report.

COUNTY ATTORNEY'S REPORT

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Ms. Lucian: Good evening Planning Commission, I have no report.

COMMITTEE REPORTS

CHAIRMAN'S REPORT

School Board CIP Advisory Committee Report

Ms. Vanuch: Okay, alright, no committees are open. Chairman's Report -- I just wanted to mention to you guys I got an email from a School Board member and she had mentioned there is a School Board CIP Advisory Committee Report and I'm happy to forward that on to the Planning Commission. But there are two individuals who were leading that initiative, Mr. Morgan Burch and Mrs. Amy Hall. I know both of those individuals and have met with them multiple times and think it might be useful to have some of that information shared with the Planning Commission. So, I just wanted to float it out there to see if there was an appetite to have them come and present the committee report to the full Planning Commission. Does anybody have any comment on that?

Mr. Boswell: I would like that.

Ms. Vanuch: You would like that?

Mr. Randall: I absolutely would like that. That would be great.

Ms. Vanuch: Okay, great. Just given our timeline, I'm thinking maybe around October, one of the October meetings would be good. Alright, so Mr. Harvey, can you just plan that for either one of the October meetings and reach out to Mr. Birch and Mrs. Hall?

Mr. Harvey: Yes ma'am.

Ms. Vanuch: For their availability. Okay, great. I don't have any other report and Other Business is TRC August 14th. It's to be determined so that's an interesting one. Approval of minutes from May 29th; can I get a motion?

OTHER BUSINESS

8. TRC Information - *August 14, 2019 - TBD*

APPROVAL OF MINUTES

May 29, 2019

Mr. English: So moved.

Ms. Vanuch: Alright, second?

Mr. Boswell: Second.

Ms. Vanuch: Alright, motion by Commissioner English, second by Commissioner Boswell, go ahead and vote. Oh well.

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Mr. Randall: I will second.

Ms. Vanuch: Alright, Mr. Randall seconding it. Alright, fantastic. Alright, so motion carries 5 with 1 abstention and 1 absent (*Mr. Boswell abstained; Mr. Apicella absent*). Alright, that concludes tonight's meeting.

ADJOURNMENT

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