

STAFFORD COUNTY PLANNING COMMISSION
December 9, 2020

The meeting of the Stafford County Planning Commission of Wednesday, December 9, 2020, was called to order at 4:30 PM by Chairman Steven Apicella, in the Board of Supervisors Chambers of the George L. Gordon, Jr., Government Center and at remote locations throughout the County.

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

MEMBERS ABSENT: None

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

Mr. Apicella: It's 4:30 PM, I call today's Planning Commission meeting to order. I will be participating today from a remote location here in Stafford and I would ask someone on the Commission to make a motion to approve my remote participation.

Mr. English: So moved.

Mr. McPherson: Second.

Mr. Apicella: Thank you gentlemen. I'm just gonna call for a voice vote, all those in favor say aye. Opposed? Okay the ayes have it thank you very much. Two more quick points to make. Voting on motions today will be conducted by voice votes and if we have any technical issues Mr. English will take over as Chairman. Today's invocation will be provided by Mr. Bain and the pledge of allegiance by Mr. McPherson.

DECLARATIONS OF DISQUALIFICATION

Mr. Apicella: Are there any declarations or disqualifications on any agenda item?

Mr. Randall: Mr. Chairman I just want to make a note that I did have some conversations again with the Embrey Mill folks regarding their application that will be before us tonight.

Mr. Apicella: Thank you Mr. Randall. And also I'd like to acknowledge that I had a conversation with the applicant on Item 4. Anybody else?

Mr. English: I also made-, I also made contact with the applicants on number two.

Mr. Apicella: Okay thank you Mr. English.

Mr. Cummings: And Mr. Cummings had contact with applicant for number four.

Mr. Apicella: Thank you Mr. Cummings.

PUBLIC PRESENTATIONS

Mr. Apicella: Okay, with all that said I'll now open the public presentations portion of today's meeting. The Public may have up to three minutes to comment on any matter expect the seven public hearing items on today's agenda. There will be a separate comment period for each one of those public hearing

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items as they come up. If you would like to speak when you come forward, please state your name and address before starting your comments. The clock starts when the green light appears. Yellow means there's one minute left and red means please conclude your comments. If anyone in the Chambers would like to come forward please do so now. Okay seeing no one I'm going to close the public comment period and move on to item 1, Mr. Harvey?

PUBLIC HEARINGS

1. CUP19152957; Conditional Use Permit – Wawa Cranes Corner - A request for a conditional use permit (CUP) to allow vehicle fuel sales in the B-2, Urban Commercial and HC, Highway Corridor Overlay Zoning District, and a convenience store in the HC, Highway Corridor .Overlay Zoning District on a portion of Tax Map Parcel No. 46-10 (Property). The Property consists of 2.95 acres, and is located on the northeast corner of the intersection of Jefferson Davis Highway and Cranes Corner Road, within the Falmouth Election District. **(Time Limit: March 19, 2021)**

Mr. Harvey: Thank you Mr. Chairman, please recognize Mike Zuraf for the presentation regarding the Wawa at Cranes Corner.

Mr. Zuraf: Good evening Mr. Chair, members of the Planning Commission, Mike Zuraf the Planning and Zoning Department, here to present Item 1 for Wawa Cranes Corner. This is a conditional use permit. This specific request is a conditional use permit to allow vehicle fuel sales in the B2 Urban Commercial and Highway Corridor Overlay and then also a convenience store in the Highway Corridor Overlay district. The parcel is Tax Map 46-10 approximately three acres in size. It's in the Falmouth election district. The applicant is 6S Development with Janelle Cameron as the agent for this case. So this is the location of the site. The property is highlighted in blue, it is located at the northeast corner of the intersection of US Route 1 and Cranes Corner Road. Here's an aerial view of the site, the site is presently undeveloped however is undergoing site grading presently. The site's relatively level and previously sat at a lower elevation from the adjacent roads. Grading that's occurring is adding fill material to the site raising its elevation closer to that of the surrounding roadways. The site does not include any sensitive environmental resources. This image shows an expanded view of the area around the site. The area is largely residential and has a lot of other undeveloped property, much of the land along US Route 1 is undeveloped at this time, there is one landscaping business to the south along US Route 1 and then so basically this would be the first kind of new business in this location along Route 1 and there likely will be more to follow after this site goes after this project goes in. So here's the zoning, the zoning map shows the zoning of the site and surrounding area. This portion of the parcel is zoned B2 as noted and then a portion of the property to the north is zoned M1. A portion of the property was originally rezoned from A1 to M1 or most of the property was rezoned A1 to M1 in 1987 and then in 1988 the property was rezoned from M1 to B2 in this portion. There were several grading plans that were approved over the years, initially in 1990 and then in 2007 and then that was modified again in 2009. Also surrounding the site you have A1 zoned agricultural property located to the south of the site and then B1 zoned property to the west on the opposite side of Route 1. So the site plan submitted by the applicant shows the layout of the proposed Wawa. This would include a 6,000 square foot convenience store and a vehicle fueling area with 20 fueling positions under a single canopy. Customer parking areas would be located around all sides of the building, there'd be an enclosed dumpster located in the northeast corner of the property behind the building. I'll point some of these things out, it might be helpful. The dumpster location is in the portion of the back. Access to the property includes one right in right out entrance off of Route 1 in this location. It's right in right out because Route 1 is divided, there's a raised median that restricts access to right in right out. Also then that access point will be shared with future development to the north of the site generally in this location you can see the shared access way that will provide

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access to the north. Then there will be one full movement entrance off of Cranes Corner Road in this location. With the improvements there will be a second eastbound travel lane constructed so basically I'm highlighting the area where the second eastbound travel lane will be added so there'll be two eastbound travel lanes, that will allow for dedicated left turn out of Cranes Corner on to Route 1 and then a shared through and right turn lane. But also note that the entrance does not quite line up with Yellow Finch Way on the opposite side of the street. One of the reasons for that is through the traffic study there was stacking or storage of vehicles anticipated and so moving the entrance as far to the east as possible would help to support or allow for as much stacking as possible to avoid blocking of this intersection and Yellow Finch Way is a, has a very low volume, there's only three, two homes currently on that road and one other vacant parcel.

Mr. Randall: So Mr. Zuraf what's the difference in those, what's the distance that it would need to move west in order for it to be in line with Yellow Finch Way?

Mr. Zuraf: I'd have to get the scale out but it does look to be maybe be less than 50 feet or so and one other reason for this location may have to do also with the orientation of the building and travel ways around the site cause this would allow for direct movement around if the access way is here the entrance drive ends up going into where the building is so there's maybe some, some internal reasons for that entrance in application.

Mr. Randall: Thank you.

Mr. Bain: Just real quick, Yellow Finch Way, you say there's really only three parcels there, it's unlikely that Yellow Finch Way would ever be extended to access other areas is it?

Mr. Zuraf: No, there's basically it-

Mr. Bain: Pretty much a dead end.

Mr. Zuraf: -dead ends, there's other street, other parcels that front on Route 1 and yeah and then other lots are actually part of the Dogwood Air Park so there's really nowhere for that road to extend.

Mr. Bain: Right, okay.

Mr. Zuraf: Also I'd like to just note at this point the applicant did conduct a community meeting on September 16 at Stafford High School to have a one on one discussion with the citizens in the area. The citizens did express some concerns some included customer, there were concerns about customer traffic encroaching into residential areas along Cranes Corner Road and the other roads that run off of that and also there were concerns about visual and noise impacts from the store to the closest residential properties, so in response the applicant is proposing to install a no outlet sign, no outlet street sign, that would generally be located in this spot so people exiting the site will see that there's, you know if they turn left there's no way to get back out to Route 1 in that direction and also they are providing some enhanced screening with a six foot tall privacy fence adjacent to the rear parking in this location, you see a double row of trees behind that and then also along Cranes Corner and Kings Hill Road they're adding in a row of evergreen trees.

Mr. Apicella: Hey Mike? Mike?

Mr. Zuraf: Yes?

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Mr. Apicella: I'm sorry, before you go on just to reiterate and you may have said this and I missed it but with regard to the no outlet that just reconfirms that there's no bypass or cut through that someone can take from Cranes Corner back onto Route 1 either to the north or the south of the site?

Mr. Zuraf: Correct so it's you know just basically just to discourage customers to from turning left out into the neighboring streets where the residential neighborhood is.

Mr. Apicella: Because there's no reason for them to do that unless they live out there, right?

Mr. Zuraf: Right.

Mr. Apicella: Alright thanks. I'm sorry someone was gonna ask a question?

Mr. Randall: Yeah Mr. Chairman this is Bart, is there a reason they're not putting a fence at the property line versus right behind the parking?

Mr. Zuraf: It may have to do with grades but I would defer to the applicant.

Mr. Randall: Yeah would you happen to know? You don't now for sure?

Mr. Zuraf: I'll defer to them but it could be... I'll defer to the applicant.

Mr. Randall: Absolutely, thank you.

Mr. Bain: Do you happen to know approximately how far the closest residence would be?

Mr. Zuraf: You could see it, well here's a residence in this location, and so-

Mr. Bain: That looks to be maybe 200 or so...

Mr. Zuraf: -a few hundred feet, yeah...

Mr. Bain: Yeah, that's a significant distance.

Mr. Zuraf: Okay and with this use traffic impact analysis was provided to evaluate the impacts resulting from the development. With this type of fuel sales and convenience store it would generate up to 460 vehicle trips per day and 656 morning peak hour vehicle trips and 506 peak hour vehicle trips. A lot of those would be pass by trips so it's not creating new trips to the store it's people passing by on Route 1 will stop in, so that accounts for a lot of that.

Mr. English: What about the school traffic, did they count that school traffic in there because when they school, is that counted in there or should I refer to the applicant?

Mr. Zuraf: That could be bypass, well it's may depend on the direction of people if they're um, it's an average rate so it could account for some of that school traffic.

Mr. English: Okay.

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Mr. Zuraf: So um the traffic study it evaluated several of the area intersections including Route 1 at Centreport Parkway, Route 1 at Cranes Corner Road and Enon Road, and then the two site entrances. The traffic study did identify several improvements that would be required to maintain acceptable levels of services, service at these intersections. The improvements include construction of that second westbound lane on Cranes Corner Road that I pointed out from the site entrance of to Route 1, also the construction of a 200 foot northbound right turn lane on Route 1 and taper that is... in this location, there would be you know restriping and reassigning on the lane assignments on Cranes Corner in eastbound Enon Road and then also a modification of the traffic signal phasing and signal timing since you have new lanes and traffic is being you know the lane assignments are different. So these, all these improvements are recommended in the conditions, I think the applicant will have some better images that will kind of explain some of these improvements. So the Comprehensive Plan Future Land Use Map identifies the site in suburban commercial corridor in Central Stafford Business Planning area, the Land Use Concept Plan recommends business and industry future land use designations in both of these designations the commercial development of this type would be appropriate. Staff does believe that the that this is an appropriate location for this type of development as it relates to the Comprehensive Plan. With the transportation plan it recommends Route 1 be improved to a six lane divided facility. This is the one area of Route 1 where that has already happened so you already have the six lanes and it's divided and so no additional widening is needed other than the additional improvement of the turn lane that the applicant has agreed to install. The Bicycle Pedestrian Facilities plan element of the Comp Plan recommends a shared use path along this section of Route 1. The applicant is providing a five foot sidewalk along this development and otherwise an alignment of a larger trail through the areas not known or planned for at this time. The use permit conditions would require that the building be constructed in general conformance with the styles and materials depicted in these architectural renderings. The proposed building design conforms with many of the architectural guidelines of the Neighborhood Design Standards plan. There are several conditions being proposed that would require that the development be in conformance with the general development plan, requires the several transportation improvements that I've reviewed to maintain acceptable levels of service, limited access to one right in right out entrance on Route 1 and one entrance on Cranes Corner Road. With that point I would like to note that condition four should be modified to state that the access into the site from Cranes Corner Road should be in the general location shown on the GDP or farther east than across from Yellow Finch Way. The condition says west it should be east. Also requiring a do not block entrance and no outlet signs on Cranes Corner Road and requiring construction of the shared use path along Deacon Road, sorry that's a carry over from another project, permit no more than 20 fueling positions, require building design consistent with the renderings provided, prohibit fuel canopy signage from being internally illuminated on the south side of the canopy, that's in the direction of where the closest residential uses are located and require a six foot tall privacy fence and double row of evergreen trees adjacent to the eastern most row of parking spaces. On that last point the row of evergreen trees along Cranes Corner Road and Kings Hill Road are not in the conditions since they are considered off site improvements so that would be inappropriate to have as a condition nonetheless the applicant is committing to providing that enhanced screening improvement. There are several positive aspects consistent with the land use recommendations in the Comp Plan. The use is appropriate in this location along a major transportation route through the County. The proposed transportation improvements would ensure that the project does not degrade levels of service the conditions would help mitigate impacts on adjacent properties and building designs consistent with the Neighborhood Design Standards plan. Staff does not see any apparent negative aspects and would recommend approval with conditions pursuant to R20-45.

Mr. Apicella: Thank you Mr. Zuraf. Questions for staff, other questions for staff?

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Mr. Bain: I have just one general information, can you go back to the site plan drawing? There, where are the storage tanks located?

Mr. Zuraf: It's gonna be there.

Mr. Bain: Okay that's what I thought um, I'm very familiar with the Wawa on Route 218 or 17 that's not too far from where I live and when the when the delivery trucks, fuel delivery trucks come it really messes up the traffic flow for the site and this one looks even worse. That one at least they're off on the side like it would be at the lower end of that drive, I wish there were a better place but I was just curious as to where they were, it really messes things up and those trucks can pretty much show up any time I think so, okay thank you.

Mr. Apicella: Thanks Mr. Bain, anybody else? Okay I've got a couple questions Mike. Also on the presentation, can you go back to the slide that shows the parcel as it relates to other parcels? In the area.

Mr. Zuraf: This one right?

Mr. Apicella: Uh you just had it.

Mr. Zuraf: This one?

Mr. Apicella: So it looks like the applicant is using part of the parcel, do we know what's going to happen on the remainder of that parcel and/or any of the adjacent parcels?

Mr. Zuraf: We have not received any additional or new site plans on the property to the north so I'd have to defer to the applicant if they have any information as to what might be in the pipeline that's the other portion of the site. I do know you know I can that we've received a rezoning and use permit for a Sheetz, that was a few years ago in this location catty corner but there are issues with that one and that has not moved forward at this point and so but that application is basically on hold. There are no other new applications in the vicinity of this site.

Mr. Apicella: Alright. In terms of gas stations and/or convenience stores, how far are the nearest ones either to the north or the south of this site.

Mr. Zuraf: To the south you have Valero at Layhill Road, I guess I would just roughly estimate maybe three quarters of a mile. That's the closest. And then heading to the north you have a fueling station near Perchwood Lane in the industrial area.

Mr. Apicella: Okay but in terms of this particular site it's the only gas station/convenience store in fairly close proximity to Exit 136 is that correct?

Mr. Zuraf: Correct. Yeah this would be the closest.

Mr. Apicella: Were-, you mentioned the community meeting from what you understand were most or all of the concerns or requests by neighbors that could be accommodated actually accommodated?

Mr. Zuraf: I believe they were.

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Mr. Apicella: Okay and in terms of the conditions that you identified other than those that are very specific to the site and the transportation needs are they the fairly standards conditions that we would apply to a gas station/convenience store?

Mr. Zuraf: Yes. As you've mentioned the, we do have some site specific conditions here with the extra road improvements and screening and signage.

Mr. Apicella: Okay and my last question is again this is a B2 site are there other uses that could be done by right that maybe at least similar to or greater than the impacts that this particular use or uses would have?

Mr. Zuraf: I would say the closest in well as far as similar to are you referring to intensity?

Mr. Apicella: Yes.

Mr. Zuraf: Yeah I'd say as far as intensity the closest would maybe be a drive through restaurant but that would require a conditional use permit as well.

Mr. Apicella: Okay. That's it in terms of questions for me, anybody else have any other questions?

Mr. Cummings: Hey Steve, it's Dexter, something popped in my head and Mr. English mentioned it before and I just I'm familiar with that traffic by the school and the turn lane and I know that there's increased activity there now with what we're planned development and the like and has any of that been taken into consideration as well in terms of the morning traffic for example? Has it been, I know we look at these things in isolation sometimes and so does VDOT study take into consideration that new development as well?

Mr. Zuraf: Yeah I mean the main focus of with a lot of times what these traffic studies are gonna be peak hours and so you're always looking at the morning peak hour versus the afternoon so that was considered and I think the applicant they have some additional slides that will and I mentioned in the staff report we do have upcoming improvements to Enon Road which will help, further help the intersection there where they're gonna be adding a dual left turn lanes on Route 1 heading north to turn onto Enon with more receiving lanes so that will further kind of assist the and improve the conditions in that intersection.

Mr. Cummings: Yes, I remember that in the report because that's, kids always back up into each other at that point so thank you.

Mr. McPherson: Dexter, I have the same concern because of the traffic right there, the traffic light will prevent, it's not like just an open intersection so I think the traffic light will prevent a lot of these issues around that.

Mr. Cummings: Thank you.

Mr. Apicella: Okay with no further questions thank you Mr. Zuraf, if the applicant would like to chime in?

Ms. Cameron: Good evening my name is Janelle Cameron with Walsh, Colucci, Lubeley, and Walsh and I am here tonight on behalf of the applicant 6S Development and with me either virtually or in person

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is Gray Hannah who is with 6S Development, he is the project manager, we also have Jeb Bell with Wawa to help answer any operational questions that you all may have, Michael Young with sorry Bowman he's our traffic consultant and John Wright is also with us and he is the civil engineer. We are, and a lot of my slides are repeats of what Mike already said so I'll try to go through them pretty quickly but also try to answer some of your questions as we go along through the process and Wawa is seeking a conditional use permit for a Wawa at the corner that's shown here in the star. And Wawa is a privately held business that has been around since 1964 with the first fuel store openings in 1996. Wawa's more than just a fuel station with Commissioner Apicella hinted to. Not only do they do fuel but they also have a convenience of a market and built to order foods, beverages, and coffee. Wawa has also had a foundation with charity that they contribute to local charities. Staff or volunteer fire department is one of the charities that they have contributed to in the past and this location is perfect due to the proximity to the intersection of Exit 136 and it will be a good anchor to the businesses along the Route 1 corridor to try to jump start the lack of businesses that are in this area today. In this slide shows an overview of the property. The applicant is proposing 6,049 square-foot building with 20 fueling stations and this is a closer aerial of the property and as Mike mentioned we are only purchasing and doing a conditional use permit on a portion of the property. We represent Wawa but we are unsure of what the underlying owner of the rest of the property what their plans are for this property in the future. The applicant is proposing 15-foot buffer areas here and here and again we did attend a community meeting on September 16 with Planning staff and Chair Bohmke was also at that meeting so to address some of the community's concerns we are doing a fence to the rear of the property here and Commissioner Bart you asked why is it located in that location rather than being at the property line and there's actually a grade difference of about 10-12 feet and Wawa sits higher so in order to have the best screening it's actually better to be closer to this area to be able to screen the parking and the building.

Mr. Randall: So you're gonna screen all that great landscaping you have from everybody's view with a six foot high privacy fence.

Ms. Cameron: So the goal was for the privacy fence to essentially screen from here and then the folks that are here and so what we're doing is a six foot privacy fence here and then landscaping, so those neighbors what they will see first is the landscaping and not the fence. That was the goal of having that landscaping there.

Mr. Randall: Okay, my question was why you just didn't reverse it, why didn't you put the landscaping first and then put the fence behind the landscaping but okay.

Ms. Cameron: And that was also in response to a neighbor, a neighbor had met with Jeff Harvey and Chair Bohmke and gave some ideas for this landscaping so the location of the landscaping and the fence was also in conjunction with what that neighbor requested as well.

Mr. Randall: But that neighbor's gonna see all the landscaping that you're gonna put down on Cranes Corner Road around the corner as well correct?

Ms. Cameron: Yes, and what we've done this landscaping, it is in the staff report, the County Attorney's office deemed that it was considered an off-site improvement but the applicant is absolutely committed and will be planting those plantings there. The applicant also agreed to do the no outlet sign. One question that came up was is everything that the community asked for has that been conditioned or addressed if it could be. One of the comments that we heard multiple times was the community would really like a no children at play sign to be located on the property or on Kings Hill Road, or I'm sorry children at play sign, children at play sign to be located on Kings Hill Road because to slow down the traffic Mike had

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reached out to VDOT and they did not think that that was possible based on the design of the roads but the applicant is willing, I don't know if anybody from the community is here but if we, if the applicant would like for us, if the community would like for us to continue to try to do that at site plan the applicant would subject to VDOT approval obviously, put a sign here if that is something the Commission would like for us to condition.

Mr. Apicella: That is something that I would like to see so if it's possible and in a good location I would greatly appreciate it if you could do it even though it's not something we could put in as a condition.

Ms. Cameron: Okay.

Mr. McPherson: Then there's the do not block sign as well.

Ms. Cameron: And we are doing that.

Mr. McPherson: You are doing that?

Ms. Cameron: Yes, yes we have done that. I break this every time I touch it. Thank you.

Mr. Apicella: Are you gonna talk more about the building itself?

Ms. Cameron: Yes. I do have that as well. This slide shows the transportation improvements so the left of the screen are the existing road conditions, the right of the screen are the proposed road improvements and so what you see on the left in that pinkish red depending on how your screen is showing up are the existing road configurations so currently it's one lane that is a shared right through and left lane and as Mike indicated the applicant is adding an additional lane to create a shared through and right turn lane and then restriping to have a dedicated left turn lane on the site. So that is here. We have the new lane is here so it'd be through and right and then restriping the existing lane to create a left turn lane here. One of the things that Chair Bohmke was very adamant at making sure is that our new lane fits in with the existing Enon Road so there's not a weaving movement when you're going across Route 1 and she wanted to make sure that would be the case now and then also the case when Enon Road is improved based on the Smart Scale project and so we've shown that yes that will not be an issue in the existing lane fits in today, the proposed lane fits in today and also with the Enon Road improvements. This slide essentially highlights the conditions that Mike went over for the transportation improvements, no need for me to repeat those and the next few slides are the building elevations so these are similar to the previous Wawa's that have come through the Planning Commission. The primary materials are brick and stone veneer. And the next slide are the canopy elevations so the stone veneer matches as well as the dumpster enclosure and then also to the bottom left of your screen is the proposed Wawa free standing sign. And that concludes my presentation I can answer any questions you may have.

Mr. Apicella: Thank you very much, questions for the applicant?

Mr. Randall: I have a quick question. Can you show me on your building plan where the second entrance, do you have an emergency entrance, I only see one entrance into the building, is there a second entrance, is there an emergency exit out of that, could you show me where that is please.

Ms. Cameron: So on the building there's currently, I'm sorry I'm short and this is not made for short people I just have to go on my tippy toes I apologize, so we're showing a door here and then it looks like that would be the rear emergency exit door so it's on the right south elevation.

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Mr. Randall: Okay, alright thank you.

Mr. Apicella: Thank you Mr. Randall, anybody else? Okay I have just one really quick question for the applicant, if this gets approval, final approval by the Board say in the next 60 or 90 days when do you expect to start and complete the work on the site?

Ms. Cameron: Gray can you answer that question?

Mr. Hannah: Hey how are you guys doing this is Gray Hannah with 6S Development. It's a good question I think it would take probably six months to get through site plan approvals. The it'll probably take us another about six months to improve the ground part of the site, put in the entrances, put in the, all the exterior improvements, turn it over to Wawa, they have several months to start their construction and open so I think from the time we close on the property which could happen within six months, after that it'd probably be about a year and a half before everything's finished.

Mr. Apicella: So I might not be able to get one of those great Wawa sandwiches or coffees until 2022, that's what you're telling me?

Mr. Hannah: Well hopefully things can, those schedules can move up faster but as it stands right now that's what we're looking at due to some other timelines that we have in place.

Mr. Apicella: I understand. Alright thank you, anybody have any last questions for the applicant before I open the public hearing?

Ms. Barnes: Chairman Apicella I do real quick if you don't mind.

Mr. Apicella: Please.

Ms. Barnes: I may have missed this, were there hours of operations involved in this or is this 24 hour?

Ms. Cameron: Wawa's tend to be 24 hours.

Ms. Barnes: Okay thank you.

Mr. Apicella: Alright I don't see anybody else asking questions so thank you to the applicant. I'm now going to open the public hearing on this matter. This is an opportunity for the public to comment on this particular item. Before starting your comments please state your name and address, green light starts the clock, yellow means there's one minute left, red means please conclude your comments. If anybody would like to come forward and speak on this particular matter please do so now. Or when Mike gets finished wiping the table. Okay not seeing anybody rushing the podium I'm gonna close the public hearing and bring it back to the Commission. Mr. English this is in the Falmouth District so I'm gonna, wait is that somebody coming forward?

Mr. English: No, no you go ahead.

Mr. Apicella: Alright, I'm gonna ask you to temporarily chair the meeting so I'm gonna hand you the gavel virtually.

Mr. English: Okay. Okay Mr. Apicella it is in your zoning district so what is your pleasure?

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Mr. Apicella: Mr. English, I would like to make a motion to approve CUP1915295 with a modified condition number four replacing the word west with the word east.

Mr. English: Okay. Do I have a second?

Mr. Bain: Second.

Mr. English: Second by Mr. Bain. Mr. Apicella, do you have any other questions, comments?

Mr. Apicella: No questions but a couple comments Mr. English. I support the CUP for several reasons. The first of which is the concerns and requests made by community members living in close proximity were accommodated to the extent that they were accommodated and in fact the applicant is going the extra mile and offering some things that we're not putting in as conditions they've said that they're going to do those extra things additionally without having them as identified conditions in the CUP. You can clearly tell from the aerial view that there's really nothing else around there, it's kind of a dead zone and as the applicant said this would be a good anchor point for other economic development along the Route 1 corridor especially in this specific area and of course its very close to the exit of I-95 Exit 136 so I think it's a use that's needed in that particular area and the last point I would make is I think that there are other uses that would at least be commensurate in terms of intensity if not more significant if those were to go forward. So for those reasons Mr. English I would recommend approval of this CUP, thank you very much.

Mr. English: Mr. Bain you have any comments or questions?

Mr. Bain: Just one comment I drive by that site for every meeting that I have at the County just about and lately there've been a lot of meetings, if we continue to have these meetings Planning Commission meetings starting at 4:30 and going on until 8 o'clock or so I'll definitely be stopping by the Wawa for one of their sandwiches. Thank you.

Mr. English: I just hope it comes in sooner than 2022. Okay Mr. Randall would you call roll please?

Mr. Randall: Ms. Barnes?

Ms. Barnes: Yes.

Mr. Randall: Mr. Bain?

Mr. Bain: Yes.

Mr. Randall: Mr. English?

Mr. English: Yes.

Mr. Randall: Mr. Apicella?

Mr. Apicella: Yes.

Mr. Randall: Bart Randall says yes. Mr. McPherson?

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Mr. McPherson: Yes.

Mr. Randall: Mr. Cummings?

Mr. Cummings: Yes.

Mr. Randall: Motion passes 7-0.

Mr. English: Okay, okay Mr. Apicella back to you, motion carries.

Mr. Apicella: Thank you Mr. English. Congratulations to the applicant.

2. RC20153216; Reclassification – Primax Properties - A proposed zoning reclassification from the A-1, Agricultural Zoning District to the B-2, Urban Commercial Zoning District on Tax Map Parcel Nos. 44-64 and 44-65 (Property), consisting of 4.037 acres, to allow for the development of a 39,097 square-foot commercial retail use. The Property is located on the north side of Warrenton Road, approximately 200 feet east of Cardinal Forest Drive, within the Hartwood Election District. **(Time Limit: March 19, 2021)**

Mr. Apicella: Moving forward Mr. Harvey to Item 2.

Mr. Harvey: Thank you Mr. Chairman, can you please recognize Joseph Valotta for the presentation?

Mr. Apicella: Thank you Mr. Harvey, welcome Mr. Valotta.

Mr. Valotta: Good afternoon Mr. Chairman, Commissioners, I'm Joe Valotta, Planning & Zoning, presenting item number two, it's called Primax Properties, it's a reclassification. The request is for a rezoning from the A-1 Agricultural zoning district to the B-2 Urban Commercial zoning district. It's for the purpose of allowing a commercial retail use on Tax Map Parcels 44-64 and 44-65. This site is just over four acres, it's in the Hartwood Election district. Adam Sellner is the applicant and Jack Wilson is the agent. This is a zoning map of the area the subject site is outlined in blue. It's located on the north side of Warrenton Road, approximately two hundred feet east of Cardinal Forest Drive, it's zoned A-1 without proffers and located within the Highway Corridor Overlay. Surrounding zoning districts include A-1 to the north and east, B-2 to the south, and B-2 and R-1 to the west. The site is an undeveloped open field, the topography is relatively level with slopes gradually upwards from east to west. There are no sensitive environmental resources on the property. The abutting uses include an office building to the south, single family dwelling to the north, a subdivision amenities area to the west and the parcel on the east side is currently undeveloped. Private road Lerose Drive runs across the east side of the property. A portion of that road will be improved with the project, I'll explain that on the next slide. So the proffers will require conformance with this GDP it shows the layout of the retail use. It's intended to be a tractor supply company store, it'll be approximately 26,000 square feet, oh I'm sorry 22,000 square feet in size, a fenced outdoor sales area which is approximately 16,000 square feet in size will be located on the north side of the building. Customer parking is located on the east side and then on the other side on the west side would be the loading zone and dumpster enclosure. The site would be served by one full movement entrance on Lerose Drive. The entrance would be oriented away from Warrenton Road to limit vehicle conflicts. As I mentioned a portion of Lerose from Route 17 to the rear of the subject site will be widened to 35 feet and also Fleet Road will be realigned to intersect with Lerose Drive at a 90 degree angle. I'll draw this on the screen, so the access is proposed approximately here and Lerose would be improved in this location and then Fleet Road would be realigned here at a 90 degree angle. Also a street buffer and

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a five foot sidewalk are proposed along the property frontage of Warrenton Road and landscaping buffers and a six foot fence are shown on the west and north side of the property on the property lines, this should help minimize visual impacts on the adjacent residential uses.

Mr. English: Joe can I ask you a question?

Mr. Valotta: Sure.

Mr. English: Where is the closest house to this? Do you have an aerial or not?

Mr. Valotta: Yeah, I can go back to the aerial, I don't have a measurement on hand.

Mr. English: So, the closest house is probably gonna be the one to, the closest to the bottom of the screen right?

Mr. Valotta: Yeah probably this one right here.

Mr. English: Right and then there's okay and then there's no houses connected up here near Cardinal Forest close to that?

Mr. Valotta: No there's just the amenities area right here and an undeveloped commercial parcel right here.

Mr. English: Okay thank you.

Mr. Randall: Joe I have a quick question. If I'm coming what east on Warrenton Road-

Mr. English: It runs north to south.

Mr. Randall: Okay, how would I get in to this tractor supply, what's the, how would I get in there from both sides of that traffic?

Mr. Valotta: So if you were driving east you would be able to come in here, or I'm sorry that's if you're driving west, I'm sorry.

Mr. Randall: It's the easy one.

Mr. Valotta: Yeah, sorry.

Mr. Randall: No worries with that one.

Mr. Valotta: I mixed up my directions. Driving west you would need to come down Warrenton Road, you would not be able to access it from Cardinal Forest, you would need to continue down Warrenton Road, probably make a left hand turn where the Aldi is, I don't know the name of that road off the top of my head, but I believe you would turn left there and then circle around-

Mr. Randall: Is a U-turn available there or you have to go to the service road and then come down that way? The service road?

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Mr. Valotta: Yeah.

Mr. Randall: Okay thank you.

Mr. Valotta: So, these are the proposed renderings proffers would require general, would require conformance to these. They meet many of the standards in the neighborhood design standards plan. Summarizing some of the proposed proffers they would require general conformance with the GDP and the architectural renderings. They would prohibit specific uses on the property, limit access to the property to one entrance from Lerose Drive, require sidewalks along Warrenton Road frontage of the sites, also require road improvements as shown on the GDP and that's the widening of Lerose and realignment of Fleet Road. The Comprehensive Plan designates-

Mr. Apicella: Joe?

Mr. Valotta: Yes?

Mr. Apicella: Just to be clear the applicant submitted updated proffers, right?

Mr. Valotta: Yes, the applicant submitted an updated proffer statement. I can explain that when I get to the positives and negatives because it affects that.

Mr. Apicella: Okay thanks.

Mr. Valotta: So, the Comp Plan designates the site within a recommended suburban commercial corridor and staff finds that the proposed use is consistent with the Comp Plan recommendations and policies and compatible with the development patterns along Warrenton Road. Moving to the evaluation in terms of positives the project is consistent with the land use recommendations in the Comp Plan, consistent with the development pattern along Warrenton Road. Proffers would help mitigate potential impacts to the transportation network and adjacent properties would ensure the building is consistent with the renderings and the NDS plan and the sidewalks would improve pedestrian connectivity in the area. Staff notes no negatives. In the staff report it was pointed out as a negative that there was no proffered time line in conjunction with the road improvements. Since then the applicant has updated the proffer statement to proffer that the road improvements would be completed prior to occupancy. Staff recommends approval of the application with proffers pursuant to Ordinance 20-49. And that concludes my presentation.

Mr. Apicella: Thank you Joe. Other questions for staff?

Mr. Bain: Yes, Joe can you go back to the site plan drawing? Thank you. Has the applicant met with VDOT concerning this?

Mr. Valotta: I would need to defer to the applicant, I don't know.

Mr. Bain: Okay, the reason I ask, we just had a site plan for Wawa on Route 1 and they showed acceleration and deceleration lanes on Route 1. Route 1 traffic density is much lower than this site and the applicant's not showing either deceleration or acceleration lanes and the way I look at the site plan, if they were required by VDOT they'd have to really reduce the parking area to accommodate that so I'm curious as to why they haven't since you tell me they haven't, you don't know if they've met with VDOT, we'll wait and let them explain that then. Thank you.

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Mr. McPherson: Have they met with the nearby residents?

Mr. Valotta: Yes, they had a meeting with the subdivision, Cardinal Forest subdivision, again I would need to defer to the applicant as to what as to how things fell out with the meeting.

Mr. Apicella: Joe I have a question about the uses that were proffered out. I appreciate the many uses that they did eliminate and my only question regarding the proffers as it relates to uses that they've eliminated, are there any that are still remaining that would bring the vehicles per day at or above 1,000 vehicles per day?

Mr. Valotta: Probably fuel sales, fuel sales haven't been proffered out yet, possible a drive through use, but each of these would require a conditional use permit.

Mr. Apicella: Okay, thank you. Other questions? Alright, thank you Joe, I appreciate it. If the applicant would like to come forward?

Mr. Valotta: Could I have the computer please? Not sure what button clears my drawings. Okay.

Mr. Wilson: Good evening Mr. Chairman, members of the Commission, my name is Jack Wilson and I'm an attorney in Chesterfield County representing Primax here on this application before you this afternoon. I'm not gonna go into a lot of detail, your staff has done an excellent job presenting what this case is and we have been working with staff for several months to get this case before you this afternoon. And again the intent of the rezoning is to allow for the development of a tractor supply company store, Primax who is the actual applicant is a developer who does a lot of tractor company stores in Central Virginia so this is an exciting opportunity for them. Let me answer a couple of the questions that were raised that were asked of staff. My understanding is that the engineer who prepared the generalized development plan did discuss with VDOT this road alignment and the improvements and I'll confirm that the discussion of a turn lane was raised. Obviously if a turn lane turns out to be required that would be something that we would clearly do at the time of site plan. So that's something, my understanding is there were some discussions with VDOT, a full TIA was not required because of the low trip count. The other thing we did have a zoom meeting with some of the neighbors in Cardinal forest and let me address a couple of things that came out and what we intend to do. First of all this is the area where we, what do I have to hit to draw, there we go, so this is the area where we are adjacent to the Cardinal Forest home owner's association and again you saw on the aerial that this is where the swimming pool and the tennis courts for the association were located and one of the things that the neighbors had requested this plan shows the first, and this came up in the Wawa case you heard before, this plan shows that we have a fence on the property line with the landscaping behind it. Our preference and the neighbors preference would be that we put the landscaping first and then the fence behind that and that's something that we would clearly endeavor to do at the time of site plan. What I have committed to the neighbors though if for some reason that violates the ordinance that we would, obviously with their permission plant a row of trees on their side of the property line up against the fence to provide some additional break up of that fence so, either will put the landscaping after the fence- before the fence or put some additional landscaping on their property to solve it.

Mr. English: Is it gonna be like trees and stuff that would-

Mr. Wilson: Exactly, yeah.

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Mr. English: So you wouldn't, I have a question too, the fence would be six foot so the landscaping would probably cover, you wouldn't have to go higher than 6 foot from the fence?

Mr. Wilson: That's right, exactly right, that's the plan would be. So we're gonna landscape that area to provide that screening that the neighbors had asked for either we'll do it on our property or with their assistance we'll plant some trees on their property.

Mr. Randall: Right, you're gonna have landscaping on your property anyway right?

Mr. Wilson: That's correct.

Mr. Randall: Landscaping, fence, and then whether or not the additional landscaping will be required outside the fence closer to their property.

Mr. Wilson: Exactly, that's right, so the landscaping and fence will clearly be on our property, the preference would be you would start with the landscaping and then go to the fence but that's a detail we'll work out at the time of site plan. The other request that was made and as we've proffered that we're gonna put the sidewalk on our entire frontage of the property. The request was would we extend that sidewalk down to Cardinal Forest across the adjacent property and to the extent we can get you know if there's right of way or we can get an easement to do that, we're gonna do that as well, again that's something that the neighbors had requested and we're willing to do.

Mr. Randall: How far is that from your property line to Cardinal Forest?

Mr. Wilson: I'm not... it's just about 200 feet I think?

Mr. Valotta: I would need to go on the computer and measure it.

Mr. Wilson: it's not, it's not, because that parcel is a fairly narrow parcel but we're committed to do that if we can get the, we're gonna have to actually work with that property owner for the easement for utilities-

Mr. Randall: Absolutely. No I'll tell you, if you guys are willing to do that and able to do that and make that work that would be a tremendous help to the County.

Mr. Wilson: Well I think it'll clearly provide exactly what the connectivity that we're trying to accomplish, it's not gonna do any good to come down Cardinal Forest and still have to fight to get to the sidewalk so...

Mr. Randall: Exactly, so thank you.

Mr. Wilson: So we're gonna do that.

Mr. McPherson: So if I understand correctly that can't be added to the proffer because it's not on your property.

Mr. Wilson: That's correct, but we're committed to do that, again to the extent we can get the whatever requirement, if there's right of way there we can install it in, if the adjacent property owner will grant us the easement or whatever is necessary but we're committed to constructing it so long as we can get the

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legal right to put it in. There had been some discussion, again it was mentioned in the proffers that we have proffered out a number of uses, again in discussions with Joe the reality is the way this case is proffered we have proffered the generalized development plan, we have proffered the elevations, with those proffers really the only use that can go on this site is this Tractor Supply Company store so and in the neighborhood discussion to come up about what would happen if the tractor supply company store were to close what could come in the real answer is gonna have to be probably a medium sized retailer that needs outside storage, there aren't too many of those but the practice has been, my client and I'm not aware of any Tractor Supply Company store that has actually closed so that's not a likelihood. Tying to look at any other...

Mr. English: What are your hours of operation gonna be?

Mr. Wilson: Let me get that, I just got that email because I anticipated that question after hearing it previously, generally go from eight in the morning until nine at night Monday through Saturday and nine to seven on Sundays.

Mr. English: Okay, I guess another question I guess is that I got too, why did you particularly pick this area and not down there by Celebrate Virginia area?

Mr. Wilson: Well part of it is this is clearly a growth corridor that's the Comprehensive Plan calls for it but we're also trying to pick up again this Tractor Supply Company store caters more also to a more rural area and so this is able to attract those folks further up 17.

Mr. English: And the fencing that's not gonna be wooden it's gonna be hard plastic fencing? The fencing that you're putting around the building?

Mr. Wilson: Do you remember Joe, does it require, I thought the Ordinance for whatever, I'm thinking it required a wood fence? And again I think whatever... yeah which we would of course have to maintain.

Mr. English: Right. And then the lighting, I had a question about the lighting, on the issues with the lighting, I know we have criteria and stuff like that, that shouldn't be an issue because all the lights should be face down it shouldn't be shining in somebody's-

Mr. Wilson: That's correct, your Ordinance requires it and that's what this site will have is all the light you know centered onto the parking, it won't have any escape from the property into the adjacent properties.

Mr. English: Okay.

Mr. Wilson: One of the other questions that had come up that the neighbors obviously were interested in, they're very interested in the development of this property which we're not involved with other than to the extent we can get the sidewalk but what staff has asked us to do is right here provide a cross access point to allow access across our property to this adjacent property and I believe what that will do and again I'm sure that's a transportation requirement for one it'll eliminate the need for another cut onto 17 which probably wouldn't be feasible but it will also likely eliminate the Cardinal Forest Drive approximately right here, it will likely eliminate the argument that they need to have an access to that site from Cardinal Forest.

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Mr. English: Yeah I think that was one of the concerns, to dump it out on Cardinal Forest Drive so thanks for doing that.

Mr. Wilson: Yeah so we provide that cross access that'll allow access to that parcel without having to come from 17 or Cardinal Forest.

Mr. English: I appreciate that, that's good, okay.

Mr. Wilson: Did I cover everything?

Mr. English: I think you-

Mr. Wilson: Was there one more? Okay, we're good, I was trying to address all the comments, I had a great zoom meeting with these neighbors the other evening and I've been back and forth with them on the phone and email so I just want to make sure I addressed all their questions and comments but again we agree with the staff, let me do mention that I think Joe mentioned it but when the staff report first came out we did see that one negative that you know we didn't have the timing for those road improvements on Lerose and Fleet, for us it was just assume we were gonna have to do those in order to build the site and open it up but once that became an issue we proffered clearly that we would make those road improvements prior to occupancy so with that I think there are no negatives from the staff standpoint and we of course agree with the staff recommendation.

Mr. Bain: I have one more question.

Mr. Wilson: Yes sir.

Mr. Bain: I should have asked while Joe was up there, the pack that was provided to us that showed the site elevation of the building, it looks like there are greenhouses here but the only comment I heard was that it was gonna be a fenced storage area, will it be covered?

Mr. Wilson: Areas will be covered, there's a covered area and also a greenhouse area, that's exactly what that is, so it's sort of a, this will be one of the newer Tractor Supply Company models, that's what they're doing, some greenhouse, and then covering part of this site plan for them is actually factoring in Covid-19 where people now can stay in their vehicles to get into the outside storage areas, get things loaded and unloaded without having to get out of the vehicle so-

Mr. English: Hopefully that won't last long.

Mr. Wilson: No but I think people are gonna start getting accustomed to this so they're adapting to the market so...

Mr. English: I did have one more question.

Mr. Wilson: Yes sir.

Mr. English: Did you finish Mr. Bain? There's this, there's a couple small businesses there on the weekends, I think they do barbecue, are you still gonna allow them to do that until you break down or is that just kinda...

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Mr. Wilson: Yeah I think again that is something that we're gonna work out with them, we don't have any reason to not allow them, obviously we gotta worry about liability issues and insurance but obviously until the site work is being done there's no reason not to allow for that to happen.

Mr. English: Okay, that was my only other question, thank you.

Mr. Apicella: Other questions for the applicant?

Mr. Bain: The only other comment I'll make, I live on the south side of Route 1 down 17 which is then called 218, I wish you had looked down that way for this site-

Mr. Wilson: Understood.

Mr. Bain: -because to try and get to this site I have to go through all that traffic going up 17.

Mr. Wilson: Well I will pass that along, maybe there's an opportunity for another one closer to you.

Mr. Bain: There's some nice sites down there.

Mr. Apicella: Al, c'mon it's so easy to get up and down Route 17 these days.

Mr. Bain: Yeah, you do it every day don't you.

Mr. Apicella: From my house. Just one quick question, same one that I asked of Wawa. When can customers start shopping at the Tractor Supply?

Mr. Wilson: Well it's probably about the same answer, it's probably about a six month process from what I understand to get the site plan approved and then after that we're probably looking at you know an eight month or so probably construction and new stocking and so forth so maybe by the end of 2021 but more likely early 2022.

Mr. Apicella: Okay thank you. Alright last call for questions. Alright, thank you sir.

Mr. Wilson: Thank you.

Mr. Apicella: Alright, so I'm gonna open the public hearing on this item, same rules as before. Before starting your comments please state your name and address, you have up to three minutes to speak, green light means the clock starts, yellow means one minute left, red means please conclude your comments. After Mike is finished cleaning the dais if anyone's interested please come forward.

Ms. Cupchinski: Okay, I have three questions, concerns. Oh, Glenda Cupchinski, I've been in Stafford County since '79 and I'd like to say that Cardinal Forest has always had great neighbors in the Leroses and we don't want to do anything to impede the plans. Concern number one can you put that picture back up there, that general plan development whatever that is, can you put that back up there?

Mr. Apicella: Ma'am we don't, it's not an interactive comment.

Ms. Cupchinski: Okay, alright, Mr. Bain you brought up an issue of turn lanes. If you're coming into enter the Tractor Supply property from Fleet Road then Fleet Road actually dumps out onto 17 so you

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know that's an accident waiting to happen if somebody tries to turn right and get into Tractor Supply instead of using the service road. That's an issue that possibly needs to be addressed. The other issue is that the outside storage areas do, if they're putting fertilizer and things like that into those the property as you leave the flat area where the tractor supply store is, it goes down to the Leros pond which is part of Falls Run and if you've got anything there that shouldn't be running into Falls Run that might be a concern. And I don't know how to address that. And my biggest issue of course, our biggest issue as a subdivision is that that property adjacent not dump into Cardinal Forest Drive and we appreciate the applicant giving the cross parcel access but on that side of the building there is a, on this thing it's called a trailer, they're gonna put trailer displays out there and that the width of that cut through is only 28 feet. Of course you know we're not asking for a service road but it would certainly impede people entering the adjacent property if you've got tractors, a display out there. So I would ask for a condition that there not be any kind of an anything on that side of the building which would impede the flow from Fleet Road through the Tractor Supply down to the adjacent B-2 property. And I think that's all I have, any questions?

Mr. Apicella: Thank you very much ma'am.

Ms. Cupchinski: Thank you.

Mr. Apicella: Is there anybody else who would like to come forward and speak on this manor?

Mr. English: Kelly you coming up? We got one more Steven.

Mr. Apicella: Okay.

Ms. Carter: Hi, I'm Kelly Carter, I'm in the Hartwood district, inside Cardinal Forest. I'm our HOA President so I've been working for many years trying to protect our neighborhood and our neighbors' interest. Most of us were definitely very concerned about hearing that someone had purchased that land but after speaking with Jack I feel a little bit better about this project coming as opposed to a previous developer who we spoke with who wanted to buy all five acres across the front and build a car wash and a 7-11 and all different types of businesses across there. We definitely are very concerned about you know our neighbors up front, we have some that are here tonight that could be affected by the lighting and the traffic and stuff but with the occupant I'm sorry the applicant willing to put some plants and stuff on our side of the property definitely helps kind of shield us from that. I'm almost right up front as well so my backyard is two houses over from the Leros property lake that we see back there so I'm sure once a lot of things are open they might be more visible to us and unfortunately we do hear a lot of traffic but I think if they're willing to stick with what they've said and we hold them to their proffers and their ideas of helping us out I think we'll be okay. There's definitely some concerns about the Fleet Road but I think as we progress into this project we'll just have to see what comes our way, our biggest concern is that Vakos property that one acre corner lot there, and unfortunately it's already commercial so I don't know how much power so to speak we'll have when someone comes along to build. But that's our big concern, I mean we certainly would rather have our neighborhood stay wooded and empty but we know development's coming but I think with this company willing to work with us I think we'll be okay. Thank you for your time.

Mr. English: Thank you.

Mr. Apicella: Thank you very much ma'am. Anybody else in the chambers who would like to speak on this item?

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Mr. English: I think that's it Steven.

Mr. Apicella: Okay, would the applicant like to come forward and address the comments that were made?

Mr. Wilson: Very briefly and I'm not gonna touch anything so Joe doesn't have to clean anything again. The only comment would be you know again we're providing that cross access to that corner parcel, the space between the tractor display area and the landscaping is 28 feet which is more than enough space for access back and forth to that parcel so I don't think we need to widen that drive aisle, in fact we don't want a lot of speeding traffic coming through that parcel so constricting a little bit I think actually adds to the safety and serves the purpose but other than that it's been a pleasure working with this neighborhood, a lot of great comments and as a result of that I think we can work together.

Mr. English: What about the fertilizer question?

Mr. Wilson: We do have to comply with all the stormwater runoff requirements, that includes everything that's in the site including the outside storage all of that has to meet all DEQ requirements as well as Chesapeake Bay Act requirements so all of that would have to be caught, if there is any run off it would have to be caught on site and not be allowed to get into the rivers and streams.

Mr. English: What's your closest Tractor Supply, is it one in Spotsylvania or is it Fauquier, what is the closest one?

Mr. Wilson: I'm not sure because-

Mr. English: I'm just curious.

Mr. Bain: Route 3, Spotsy.

Mr. Wilson: Yeah I think that's probably the closest one.

Mr. English: Okay, just curious. Okay thank you.

Mr. Apicella: Alright thank you sir, alright I'm gonna close the public hearing on this item bring it back to the commission for further deliberation and a potential motion, Mr. English this is in your district how would like to proceed?

Mr. English: Yes sir, I would like to make a motion to approve RC20153216 Reclassification to the property.

Mr. McPherson: Second.

Mr. Apicella: Thank you Mr. English. Was that Mr. McPherson who did the second?

Mr. McPherson: Yup.

Mr. Apicella: Okay great. Any further comments Mr. English?

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Mr. English: No I just, I think that's gonna be a good fit for up there and they did, Mr. Wilson was accommodating to the Cardinal Forest people and I hope to what he says and everything's gonna work out I think it'll be an asset to 17.

Mr. Apicella: Thank you Mr. English, Mr. McPherson?

Mr. McPherson: Just I appreciate the way he worked with the residents in the nearby subdivision.

Mr. Apicella: Thank you. Anybody else?

Mr. Cummings: Mr. Cummings will second it and again it's a, if anyone else is out there, developers coming in to work with the community they should use your example because it was a community commercial partnership and that's what we need.

Mr. Apicella: Thank you Mr. Cummings, Mr. Harvey were you chiming in?

Mr. Harvey: Yes Mr. Chairman, I wanted to remind the Commission that based on your by laws you'll have to take a motion to accept the new proffers.

Mr. English: Okay I'll make a motion-

Mr. Apicella: I just want to clarify, the proffers came in before we started the meeting, I thought when that happens we don't have to take it up only when it's actually brought up during the meeting?

Mr. Apicella: My recollection is it's when the proffers are received after the agenda item has been posted.

Mr. Apicella: Okay. Ms. Lucien can you clarify?

Ms. Lucien: I'm looking right now. If you want to be safe you can go ahead and just take the motion it might take me a minute or two. I have the by laws here.

Mr. English: I'll go ahead and make a motion. I make a motion to accept the proffer amendments.

Mr. Cummings: Second.

Mr. Apicella: Okay thank you, any further comments on accepting the amended proffers?

Mr. English: No.

Mr. Apicella: Seeing none I'm just gonna do a quick roll call vote. Mr. Bain how do you vote?

Mr. Bain: Yes.

Mr. Apicella: Ms. Barnes?

Ms. Barnes: Yes.

Mr. Apicella: Mr. Cummings?

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Mr. Cummings: Yes.

Mr. Apicella: Mr. English?

Mr. English: Yes.

Mr. Apicella: Mr. McPherson?

Mr. McPherson: Yes.

Mr. Apicella: Mr. Randall?

Mr. Randall: Yes.

Mr. Apicella: Mr. Apicella votes aye, motion carries unanimously to accept the amended proffers. Now to the original motion made by Mr. English, seconded by Mr. McPherson. Again gonna do a roll call vote on the motion to recommend approval on the reclassification of the Primax properties. Mr. Bain how do you vote?

Mr. Bain: Yes.

Mr. Apicella: Ms. Barnes?

Ms. Barnes: Yes.

Mr. Apicella: Mr. Cummings?

Mr. Cummings: Yes.

Mr. Apicella: Mr. English?

Mr. English: Yes.

Mr. Apicella: Mr. McPherson?

Mr. McPherson: Yes.

Mr. Apicella: Mr. Randall?

Mr. Randall: Yes.

Mr. Apicella: Mr. Apicella votes aye, motion carries unanimously, thank you everybody and thanks to the applicant and public who showed up for this public hearing item. Mr. Harvey, onto item 3.

3. RC20153242; Reclassification – Courthouse Tracts Proffer Amendment - A proposal to amend proffered conditions on 4.08 acres zoned B-2, Urban Commercial, to allow a restaurant with drive-through and a convenience store with vehicle fuel sales, on Tax Map Parcel Nos. 39-3 and 39-3A (Property). The Property is subject to two concurrent conditional use permit requests. The Property is located on the southwest corner of the intersection of Jefferson Davis Highway

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and Hospital Center Boulevard, within the Hartwood Election District. **(Time Limit: March 19, 2021)**

4. CUP20153243; Conditional Use Permit – Courthouse Tracts Taco Bell - A request for a conditional use permit (CUP) to allow a drive-through facility in the B-2, Urban Commercial and HC, Highway Corridor Overlay Zoning Districts on Tax Map Parcel Nos. 39-3 and 39-3A (Property). The Property consists of 4.05 acres, and is located on the southwest corner of the intersection of Jefferson Davis Highway and Hospital Center Boulevard, within the Hartwood Election District. **(Time Limit: March 19, 2021)**
5. CUP20153244; Conditional Use Permit – Courthouse Tracts 7-Eleven - A request for a conditional use permit (CUP) to allow vehicle fuel sales in the B-2, Urban Commercial and HC, Highway Corridor Overlay Zoning Districts and a convenience store in the HC, Highway Corridor Overlay Zoning District on Tax Map Parcel Nos. 39-3 and 39-3A (Property). The Property consists of 4.05 acres, and is located on the southwest corner of the intersection of Jefferson Davis Highway and Hospital Center Boulevard, within the Hartwood Election District. **(Time Limit: March 19, 2021)**

Mr. Harvey: Mr. Chairman for the next several items Joe Valotta will be presenting a combined presentation for the proffer amendment as well as two conditional use permits, one for a drive through facility and another one for a vehicle fuel station for a property known as Courthouse Tracts.

Mr. Apicella: Great, Items 3, 4, and 5 will be discussed together but voted on separately. Thank you, Mr. Harvey and Mr. Valotta.

Mr. Valotta: Good evening again, this project is called Courthouse Tracts, it is three requests. One request is a proffer amendment and then two conditional use permits. The first CUP is a drive through facility and the second CUP is vehicle fuel sales all for the purpose of allowing a drive through facility, a restaurant with a drive-through facility and a convenience store with fuel sales on tax map parcels 39-3 and 39-3A. The site acreage is just over four acres, Hartwood election district, Steve Jones is the applicant and Charlie Payne is the agent. So the property is outlined in blue on this zoning map, it's located at the southwest corner of US Route 1 and Hospital Center Boulevard, it's zoned B-2 with proffers and located within the HCOD. The current proffers were established in 2011 for the development of a medical office building and surrounding zoning districts include B-3 to the north, A-1 to south and to the west, and B-2 and A-1 to the east. The property's developed with one single family dwelling, the house would be demolished in order to develop the site. An architectural survey of the house was conducted and the house was deemed to have no historical significance. The remainder of the property is primarily wooded with rolling and steep terrain there is a 100 foot resource protection area buffer on the northwest edge of the property, no development is proposed within the buffer area.

Mr. Bain: Could you show approximately where that is?

Mr. Valotta: Yeah. Approximately right here in this red hatched area is the RPA.

Mr. Bain: Thank you.

Mr. Valotta: And then the surrounding uses include a single family dwelling to the south and all of the other abutting properties are currently undeveloped.

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Mr. McPherson: Is that single family property still occupied?

Mr. Valotta: I believe so, I would need to defer to the applicant. Yes, it's currently occupied. Okay so proffers and conditions would require general conformance with this GDP on the screen. It shows the proposed layout of both of the uses. The southern portion of the property would be developed with a Taco Bell with a drive through that's approximately 260 square feet. Customer parking spaces would be located to the north to the front of the building. Loading zone and dumpster enclosure would be located between the west side of the building and the entrance to the drive through lane. The drive through lane wraps around the south side of the building and it includes a single stacking lane. The north portion of the property would be developed with the 7-11 convenience store and fuel sales. The building is approximately 4600 square feet. The fueling station would be located under a single canopy in between the building and Route 1. It would include 16 fueling positions. The in-ground fueling tanks would be located in the eastern corner of the property. Customer parking is shown along the west southeast sides of the building and along the western perimeter of the development area. A loading zone would be located just south of the fueling and the dumpster enclosure for 7-11 would be located behind the building. The site is made up of two parcels and the GDP shows a proposed boundary line adjustment. The property lines would be adjusted such that the larger parcel to the north would decrease from about 3 acres to about 1.3 acres and the southern parcel would increase from one acre to about an acre and a quarter. The boundary line adjustment would also result in the creation of a new third parcel. The proffers would limit the use of that third parcel to open space, stormwater management, and utilities and other similar types of support for the development.

Mr. McPherson: Could you circle that part please?

Mr. Valotta: Sure. Yeah, so that area, it's this portion on the left side of the screen. And then the other proposed boundary line adjustment is right here and just for reference I'll show the current property lines in a different color. They approximately look something like this. So the red is what's proposed and the green is current. There'll be two site entrances. One would be a right in right out entrance on Jefferson Davis Highway with a 97 foot right turn lane and a 97 foot taper and the second entrance is another right in right out, this one would be on Hospital Center Boulevard, it would include a 200-foot right turn taper. Future inter-parcel connection to the southern property is shown on the western side of the property, it's located right here. A five foot sidewalk is proposed along the entire property frontage, that's Route 1 and Hospital Center Boulevard. Street buffers are also proposed along the property frontages and the Route 1 buffer is proposed to include 25 percent more landscaping than the code requires. This should help mitigate headlight glare onto Route 1 and the transitional buffer and a six foot fence are proposed along the south property line and this should minimize visual impacts on the residents to the south. Proposed conditions and proffers would require that the building is constructed in general conformance with these architectural renderings, they meet many of the design standards of the NDS plan. Looking at some of the proffer revisions they would require the development to be in conformance with the GDP and the architectural renderings. They would delete the proffer prohibiting fuel sales, require that the new parcel is reserved for open space, stormwater, and utilities, require site entrances and sidewalk as shown on the GDP, and also require the transportation improvements shown on the GDP and that was the southbound right turn lane on Route 1 with 97 feet of storage and a 97 foot taper and also the 200 foot right turn taper on Hospital Center Boulevard. Looking at some of the proposed conditions for the drive through facility for the Taco Bell, they would require conformance with the GDP and the renderings. They would require that the drive through stacking lane is designed as to not impede traffic circulation and they would require sidewalk along the property frontage of Jefferson Davis Highway. Here I'll point out that staff had recommended a condition requiring a by-pass lane in conjunction with the drive through facility however the applicant has expressed opposition to this condition since there's

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not enough room on the site to accommodate the by-pass lane. Staff would recommend discussion with the applicant before removing the condition and looking at some of the 7-11 conditions, the fuel sales conditions, they would require conformance with the GDP and the renderings, limit the property to 16 fueling positions and require sidewalk along the property frontages of Route 1 and Hospital Center Boulevard. So the Comprehensive Plan identifies-

Mr. English: Can we back up a minute?

Mr. Valotta: Yeah.

Mr. English: On the sidewalks. If you do the sidewalks on Route-, you're talking about the sidewalks on Route 1, on Jefferson Davis Highway and Hospital Boulevard?

Mr. Valotta: Yeah, I can draw them on here.

Mr. English: Because... sidewalks there to there... so if they wanted to cross right there at the corner of Hospital Boulevard to get to the hospital, would they need, would they be able to cross there, would it be a crosswalk or what would that be?

Mr. Valotta: A crosswalk is not proposed at this point, I would need to defer to the applicant for-

Mr. English: Okay, by putting those sidewalks on there I think that's asking, if you're not putting a crosswalk there I think you're asking for trouble so that's my questions, alright.

Mr. Bain: Would that be a VDOT requirement Joe?

Mr. Valotta: VDOT could recommend it during the site plan I suppose. They submitted a TIA and the applicant is proffering the recommended mitigation with the TIA.

Mr. English: I could just, the reason I'm saying, is I could just see somebody from the hospital walking out, I'm gonna go to Taco Bell to eat and they're gonna try to cut Route 1 and I think that's gonna be a big issue if we, if we add sidewalks I think you're inviting that to happen but if you didn't so okay. I know that's-

Mr. Harvey: Commissioner English?

Mr. English: Yes.

Mr. Harvey: The County, this property is located within our Highway Corridor Overlay zone and one of the requirements of that zoning category is that sidewalk be provided on the public street frontage. So in addition to a proffer it's an ordinance requirement.

Mr. English: Well what about the crosswalks Jeff? Would they require to put those in?

Mr. Harvey: That would be something that the applicant would have to work out with VDOT. VDOT would regulate where the crosswalks could be on that intersection. They would likely not allow crosswalks on all four legs, but it may be that there's two legs of the intersection that get crosswalks, not sure if that would be on this side of the intersection or in another location.

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Mr. English: Okay thank you.

Mr. McPherson: Jeff is there a way to waive the sidewalk requirements on HCOD or is there no way to do that?

Mr. Harvey: Commissioner McPherson there is not a way to waive the sidewalk requirement, the code does allow in certain instances for the applicant to post a bond instead of constructing the sidewalk but that sort of delays the inevitable. Another option is for them to potentially pay a fee towards that construction of sidewalk that would imply at some point in time the County would come through and build a sidewalk in that general area.

Mr. Apicella: So what I hear you saying Jeff, at the end of the day there's gonna be a sidewalk, right?

Mr. Harvey: Yes, sir.

Mr. Randall: One quick question then Joe. I'm headed to the hospital and I just passed the Burns Corner intersection and I stop in real quick to get a bite at Taco Bell and I come back out onto Hospital Center Boulevard but there's no, there's no ramp up into Hospital Center I just have to make a right hand turn into full traffic. Is that the way it looks?

Mr. Valotta: Yeah there's no acceleration lane.

Mr. Randall: No acceleration lane for that right hand lane, was that talked to, did you talk to the applicant about that?

Mr. Valotta: We did not I would need to defer to them.

Mr. Randall: Right, we'll have our shot at the applicant I just wondered if you had a conversation with them prior to our conversation today. Alright thank you.

Mr. Valotta: Okay so looking at the Comprehensive Plan, the Comp Plan identifies the site within the Courthouse Planning Area and Targeted Growth Area. The more detailed land use concept identifies the site within the commercial retail and office designation. Again it's in the TGA, TGAs are areas of the County where urban or higher density suburban development patterns are most appropriate and staff finds that the proposed use is generally consistent with the Comp Plan recommendations and policies. A Traffic Impact Analysis has been submitted with the application due to the projected trip generation. The TIA evaluated one intersection Jefferson Davis Highway and Hospital Center Boulevard. The development is proposed to generate approximately 2500 vehicle trips per day with 256 being in the morning peak hour and 218 being in the evening peak hour and those numbers are the combined total for both uses. The Taco Bell would generate approximately 700 of the vehicle trips per day and the other 1800 would be from the 7-11. So these three tables represent the projected traffic conditions at the evaluated intersection. The first table represents no build conditions for 2021, the second table represents 2021 build conditions without any sort of mitigation and the third table represents the 2021 build conditions with the proffered mitigation. The intersection is projected to function at an LOSD in the morning and an LOSE in the evening with or without this development however the development will slightly increase the delay and this is inconsistent with Comp Plan policy. The Comp Plan recommends an LOSC and also discourages further degradation to already failing intersections and these ones will again be operating at D and an E. So looking at the overall evaluation for positives it's, the project is consistent with the land use recommendations and the Comprehensive Plan, consistent with the

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established development pattern along Route 1, proffers and conditions will help mitigate potential impacts on the adjacent properties, they will ensure that the buildings are consistent with the renderings and with the NDS plan. Also, the sidewalk will improve pedestrian connectivity in the area. In terms of negatives, the project is inconsistent with Comp Plan policy discouraging further degradation of failing intersections. Staff does recommend approval of all three applications with proffers and conditions pursuant to Ordinance O20-50, Resolution R20-393, and Resolution R20-395 and that concludes the staff presentation.

Mr. Apicella: Joe I just want to thank you for taking us through three packages in a fairly quick time frame so I appreciate your efforts there. Additional questions for staff?

Mr. Randall: Mr. Chairman I have one more question. In regards to the bypass lane, have we, do you know of any conditional use permit that was approved without a bypass lane for a drive through?

Mr. Valotta: Offhand I do not, I would need to defer to Jeff, I believe that the Burns Corner CUPs included bypass lanes for the drive throughs.

Mr. Randall: Jeff can you answer that for us?

Mr. Harvey: Commissioner Randall, typically that is something we work out and negotiate with the property developer. In this particular case if you can recall the GDP the site is fairly constraining. The applicant is proposing a 25 foot landscape buffer with a fence to the adjacent residential property. The code requires a 50-foot wide buffer; however, you can reduce the buffer width in half to 25 feet if you've installed a fence. To go smaller than 25 feet would require a departure from design standards and would be, would need a Planning Commission approval for that specific change but also the GDP shows a retaining wall so the site to the south where the residence is, is at a lower elevation so that would significantly constrain the effectiveness of the screening if we were to make that buffer width narrower than 25 feet to accommodate that bypass lane. In this particular instance the individual drive through site is located towards the front of the property so from that aspect if there was a need for emergency response they can get to the front of the drive through lane area pretty readily. The back of the lane where the stacking is if they were trying to come in that way that would be where the response may be constrained where someone would have to get out of a vehicle to walk up and approach the cars in the queue.

Mr. Apicella: Mr. Randall and Mr. Harvey if I may, could you help us understand based on what you said why staff is recommending a bypass lane and what the potential consequences are if it's not a bypass lane.

Mr. Harvey: Mr. Chairman, the reason why we had that in the recommendations that's our standard recommendation. I understand that the applicant is concerned about that in relation to their ability to even build the restaurant on that site. As you recall from the generalized development plan, again it's constrained and there's, they have to accommodate parking on the property, the building and the drive-through lanes in a fairly narrow area so in my understanding from the applicant, and Mr. Payne will probably elaborate on it more, is that if they were required to put in the drive-through by-pass lane that the site would be not really buildable for the restaurant that they're asking for and it would make it economically unviable as a project.

Mr. Apicella: Right, to the second part of my question, what are the consequences if there's not a bypass lane?

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Mr. Harvey: My discussions with Mr. Payne, he may be able to reiterate it, is that it makes the project unfeasible.

Mr. Apicella: No, I'm not speaking about it from the applicant's perspective I'm speaking about it from the County's perspective, what are the consequences from the County's perspective irrespective of the issues with the site and it's constraints, what are the consequences from the County's perspective if we don't have a bypass lane.

Mr. Harvey: If there's no bypass lane if there was somebody who got into the drive through lane and for whatever reason felt like it was taking too long and wanted to leave the drive through lane they would be stuck they would have to sit through that. If there was a need for emergency response for someone who is in a car in the drive through lane without a bypass it would force the responder, they would have to get out of a vehicle instead of drive up and be parked parallel to that vehicle in the drive through lane.

Mr. Bain: Mr. Harvey? I can think of several restaurant, drive through restaurants in the area that are like this, that have no bypass lane, have there been any serious problems with any of those restaurants that you're aware of?

Mr. Harvey: Commissioner Bain I have not hear of any issues that have been brought to our attention in Planning and Zoning.

Mr. Apicella: Alright, thank you Mr. Bain, other questions for staff? Okay, I'm not hearing anybody so I'm gonna give it one last call-

Mr. Cummings: Hey Steven it's Dexter I have one. For me it's always contextual, this use and this use of this property within the context of the higher density that we're planning for for the downtown Stafford, any thoughts about how that will play into particularly with the constrained site and potentially the increased capacity.

Mr. Valotta: The current concept for downtown Stafford ends just to the north of this locations, it's just on the other side of Hospital Center Boulevard. Our Comprehensive Plan includes a small area a Courthouse plan that was completed in 2011 and that recommends highway commercial use for this area so it would probably go hand in hand with the outer edges of the downtown Stafford area.

Mr. Cummings: And just so I'm clear because of the small area plan that calls for that use but in terms of the traffic, foot traffic, and everything else you think that on a small footprint that, but not study has been done right?

Mr. Valotta: No and I would need to defer to the applicant as to the scope of the TIA, I'm not sure offhand whether or not it encompasses the Burns Corner project.

Mr. Cummings: Okay, thank you.

Mr. Apicella: Alright thank you Mr. Cummings, with no further questions of staff, thank you Joe if the applicant would like to proceed forward?

Mr. Payne: Thank you Mr. Chairman, other members of the Planning Commission, my name is Charlie Payne and I represent the applicant, I hope you're all doing well and Merry Christmas and Happy Holidays to you. So I appreciate staff's report I think it a very good presentation I think he's packaged

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it well very quickly and maybe I'll try to be a little bit quicker and then I'll answer your questions as we go forward. I do have a PowerPoint and I will go through that and then part of this PowerPoint presentation will hopefully answer the questions that came up, if not remind me and I'll respond. But just real quickly, I guess I can control this thank you, just a quick overview, this property does consist of a small acreage, four acres located at the intersection of Jefferson Davis Highway and Hospital Center Boulevard, it is already zoned B-2. B-2 is a high intensity commercial use as you know. This particular area on the Comprehensive Plan encourages this exact use that we're proposing today. As you can see from the configuration of the site, it is a unique configuration and the staff has noted pretty much a good third of the site to the western a portion of the site is unusable, it's open space and won't be utilized so that puts most of the development up towards the eastern end and north and southern end of the development. We are requesting a conditional use permit and a proffer amendment, this was already rezoned as you know for office so we need to amend that proffer as you also probably know offices encouraged, not encouraged, it is not marketable today in this particular part of Route 1 corridor, a lot of that's being pushed to the hospital campus so we believe this provides another convenient service and another food opportunity, restaurant opportunity in the downtown Stafford area which as we know there's not a lot today. So, one of the parcels will include a, roughly 4600 plus convenience center, a 7-11 with vehicle fuel sales and the other site about 2666 feet of fast food restaurant at Taco Bell. As I had noted the property is located in the County's targeted growth area, right within the Courthouse planning area and it is within your USA. It does meet the CUP standards as staff have noted and we can talk about the bypass lane. The B-2 District is intended again for high intensity commercial uses, it is compatible with the character and established development plan of the area. Adjacent to us is A-1 property but that property is also encouraged for the same type of uses that we're proposing, there is B-3 adjoining us as well and of course the hospital is right across the street and then there's a brand new intersection on Hospital Boulevard that's been built recently and it's close to the new interchange which means we're gonna trap traffic also off of the interstate and to that point I think it's important to note this project's only gonna contribute about four percent new traffic in the AM peak hours and six percent in the PM. What's not noted in the staff report and it's not their fault, it's part of our TIA, is the passerby traffic, meaning the traffic that's already on the road is about 50 percent for the Taco Bell and about 67 percent for the 7-11, so that's not traffic that we are tracking to our site but it's just traffic that's already on the road so I think that's important to note for purposes of our traffic analysis. Again the location of building height are consistent with surrounding properties and we do not believe we would ever affect the health, safety of persons residing or working in the area. All of which are part of the CUP analysis. Again a proposal conforms to the County's Comprehensive Plan as I had stated as to use and also as a positive tax revenue. This project would generate a net number of over \$125,000 and it will be in an accessible and convenient location off of Route 1 as I had just noted. Again, no impacts to schools, no impacts to parks and the project does meet the Comprehensive Plan for the design criteria for suburban areas meaning we do our design criteria as we have proffered under our proffer amendment is also part of this application. And we will have sidewalks both on Hospital Boulevard and on Route 1 as staff had noted. In regards to the cross walk questions, it's our understanding, my understanding that Carl, our transportation engineer is here he and he can correct me, but VDOT was not encouraging a cross walk in that particular area across Route 1.

Mr. English: I'm gonna ask you a question and I don't know if it comes back to you Charlie or not but what if we put signs up there that says do not cross across the highway, would that be a VDOT thing or could you...

Mr. Payne: I think we would have to get VDOT approval, that would be deemed pedestrian control but is that correct? We would need to get VDOT approval for that? I'm gonna let him come up and respond real quick.

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Mr. Hultgren: Good evening I'm Carl Hultgren with Ramey, Kemp, and Associates, traffic engineer on the project. It would be very unusual to have a sign at the corner that says you know, pedestrians don't cross the intersection-

Mr. English: I know.

Mr. Hultgren: I don't recall seeing that.

Mr. English: I know because we've had issues up there on 610 and it's just they try to cross from Wawa to get to Stafford Marketplace and it's dangerous, we've had people getting hit and I can just foresee this happening with the Taco Bell and you know from the hospital so I didn't know, some sort of, you put the sign up that doesn't mean they're gonna obey it and I know that you know, but I'm just asking a question.

Mr. Hultgren: Yeah, VDOT in this case VDOT's very unlikely to put a crosswalk across US 1 because that would slow down traffic on Route 1.

Mr. English: I understand, okay thank you.

Mr. Hultgren: Sure.

Mr. Payne: Here's our generalized development plan as staff had presented and just to give you a little more color as to the issue with the bypass lane. So here's the Taco Bell site and here is the drive through lane, and it's 12 feet across, here is the retaining wall, you see how close that is to the site. So we can't we can't move it south, plus it would impact the buffer, the 25 foot buffer and the six foot privacy fence that we have along the south. We would also likely lose this which is really important to our user and at the end of the day quite honestly if we did have to put in the bypass lane given just quite honestly the challenges with the site we would lose both users. That's just the reality. Of course here is the 7-11 site and Mr. Randall had asked me a question or I guess they asked a question about an acceleration lane out. It's so close to this intersection that VDOT won't allow us to do it. Of course there's a pork chop here, so you're right in and right out so you can get into traffic coming out going south fairly easy.

Mr. Bain: Mr. Payne you mentioned the western portion and I think your words were undevelopable. Now that dashed line that goes through there is the resource protection boundary so there's still a good bit of area between that and the development portion. Why do you consider that undevelopable? Is it slopes or...

Mr. Payne: Jennifer Shea our civil engineer is on, Jennifer do you want to respond to that?

Ms. Shea: Sure, can you all hear me?

Mr. Bain: Yes.

Ms. Shea: Yeah that slopes along that back there so there's enough space for us to put in stormwater management but it's really not buildable.

Mr. Bain: Okay.

Mr. Payne: It drops off Jennifer, is that what you're...

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Ms. Shea: Yes, yes it drops off to a ravine through here, VDOT put in a culvert under the road you know to drain that area through.

Mr. Bain: Okay, thank you I just wanted that clarified.

Mr. English: I got a question, when you go through that drive thru at Taco Bell and you get caught up in there and you want to go back towards, you don't want to go Route 1 but you wanna go back towards Courthouse maybe towards the 95, so is there a road, I mean how do you...

Mr. Payne: You'd have to come south, make a U-turn to get to the light.

Mr. English: So you can't come back out at Stafford, you can't come back out on Hospital-

Mr. Payne: Right in right out only, that's all they're allowing us.

Mr. English: For both entrances?

Mr. Payne: Yup.

Mr. English: Well they could come through there take a right and then would have to do a U-turn and come back, yeah well you could come out-

Mr. Payne: You're talking about coming out Hospital Boulevard?

Mr. English: Yeah and then go up to the light and then do a U-turn.

Mr. Payne: I think that's correct, right, yes. I'm sorry I misunderstood your question.

Mr. English: No, that's alright.

Mr. Payne: Alright I've got some really nice renderings to show you. Look I've drawn all over them. So here are elevations both for, I wouldn't even attempt to erase them, our elevations for the 7-11, again I think we meet the design standards that the County advocates, here's for the Taco Bell. Again economic development, always important and again having more commercial businesses in the downtown Stafford area is always important especially when it provides other services and opportunities. It's an initial investment of about 6.5 million, again we're adding some retail and restaurant services to the Courthouse area. During construction you're looking at about 46 new jobs and 31 permanent jobs and I know one of the big things we talk about with COVID is service jobs are extraordinarily impacted so that's very positive and again this will net positive tax revenue for the County. In transportation again, access to the project will include one right in right out driveway onto Route 1 as we've talked about and again the same from the Hospital Center and I'll get to a little more details about that. We do have right of way dedication along Route 1 for future expansion. We are proffering to synchronize the lighting to reduce the reduction in delays, I'm sorry the increase in delays at that intersection because of the project and the improvements along Hospital Center Boulevard include a 200 foot eastbound right turn taper and also on the southbound includes a turn lane on Route 1 with 97 feet of storage and 97 feet of taper, and that porkchop that we talked about. Proffer amendment, and again, this basically repeats the improvements for the transportation component of this, also we have stated here, proffering the exterior sides will be brick or split block stone or masonry construction. We've also proffered sidewalks, I know that Mr. Randall likes sidewalks so we made sure and put that in. We also have an inter-parcel connection

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to the property to our south whenever it's developed in the future or redeveloped or not. We've also reserved newly created third parcel for open spaces as Ms. Shea had noted. And I'm happy to answer any questions you may have.

Mr. English: I got a question for you. Hours of operation for the Taco Bell and is the 7-11 gonna be 24/7?

Mr. Payne: I think the 7/11 is 24/7, Taco Bell do you know? It's probably gonna be your typical restaurant hours for a taco fast food restaurant hours, I'd say they close at 11 or 12 and do they serve breakfast?

Mr. English: Well some of them have been running, they'll close the restaurant but they'll leave the drive through open til two.

Mr. Payne: Well maybe they'll be open earlier and longer because of the hospital so, that could be there as well.

Mr. Apicella: Other questions for staff?

Mr. Cummings: I have a question about the buffers. Can you just walk me through the buffers again? I know it's 25 foot buffers and I remember Jeff mentions something about 50 foot buffers and...

Mr. Payne: So what Jeff was saying is the design standards if I can get back to this real quick I'm sorry... so for the design standards it's typically a 50 foot buffer requirement between commercial and residential but you can provide an alternative standard so we're doing that as long as we meet that standard which is 25 feet of landscaping and a six foot privacy fence. There's also a retaining wall in there as well so that's what we have designed. There's also landscape buffering along here and here.

Mr. Cummings: Okay, thank you.

Mr. Apicella: Mr. Payne just so I can clarify and Mr. Harvey can jump in to further answer Mr. Cummings' question, there's a standard if there's a threshold by which the agent which is the Planning Director can approve an alternative, and anything that's even lower than that would have to come through the Planning Commission-

Mr. Payne: That's correct.

Mr. Apicella: So we have to reach that further threshold so that sort of middle ground has been reviewed by the Planning Director I believe and has been approved.

Mr. Payne: Correct, and we wouldn't, quite honestly you're absolutely correct Mr. Chairman, quite honestly we wouldn't be able to come to you anyways for that if we wanted to shrink it because of the retaining wall, I mean we're really locked in because of that requirement.

Mr. Apicella: Thanks Mr. Payne. Other questions?

Mr. Randall: Yeah, Mr. Chairman I have a question. Well maybe a comment and then a question. So as much as I like sidewalks I like bypass lanes. So basically what you said was if a bypass lane was required that you think that the applicant would walk away from this, that there'd be no way to redesign the

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property such that we could have a bypass lane and still continue to have I mean have talked about the Taco Bell being close to Hospital Boulevard and switching them so that because the back of the 7-11 doesn't need a bypass lane. It could have a 15 foot be good back there and nobody would have to be back there, right but I'm concerned about this bypass lane right, because what I'm gonna get is we do a lot with comments from the community you know and the comments from the community are gonna be, all of a sudden I have an emergency, I'm four cars back, I gotta get out of here and there's nowhere to go, I can't get out, and so now I'm stuck, right, and so it poses problems, not just getting somebody, that's getting emergency people in but also to the people who are in there, you know now I'm locked in, now I don't have a choice. People don't like that, and so I'm concerned that you know there's an ultimatum that says you know either we don't have it or we're not gonna be here versus if I force you to have it would it be worth going back and redesigning it and looking at options that provides both the Taco Bell and the 7-11 even if you have to lower the foot print and would provide a 7-11, provide a Taco Bell and a bypass lane.

Mr. Payne: Well and I appreciate that and one, we would not develop a site that we thought was not safe to our customers, two we hope that your constituency were really excited about having a Taco Bell and a 7-11 in the Courthouse area and the fact that it generates positive tax revenue but we have as you know we go through this process with staff, this has taken us, gosh with COVID, I want to say we filed like close to a year ago maybe? We have gone through several reiterations to try to make it work and the site is just simply constrained and the users have a minimum footprint you know for them to have the incentive to be here and to make it work and we have done the best we can and I think the real challenge is the fact is the retaining wall is really squeezing us on the site and also you know you want to have the median between the two users, you don't want to have that open like an open parking lot I mean it's just, I just think that what we've proposed is the best we can get to and you would never get an ultimatum from me unless we've done everything we can to try to make it work so that's, I'm just shooting straight up to you, that's it.

Mr. Randall: I understand, and I appreciate that, thank you.

Mr. Payne: Yes sir, thank you.

Mr. Apicella: Oh don't leave.

Mr. Payne: Man, thought I was out of here, where are you hiding?

Mr. Apicella: Last call for questions and before you walk away I just want to say Mr. Payne, same thing that you said to us happy holidays and have a safe one as well.

Mr. Payne: Thank you Mr. Chairman.

Mr. Apicella: So Commissioners, last call for questions on items 3, 4, and 5. Alright, thanks Mr. Payne, I appreciate it.

Mr. Payne: I don't want Joe to get those lawyer cooties so I'll get rid of them for ya.

Mr. Apicella: Oh, actually I do have a question, so Mr. English, I don't know if you still had an issue or Mr. Payne before you walk away, I'm sorry if you already addressed it and I missed it, somebody mentioned a cross walk or crosswalks, don't know if you addressed that or not but can you do so now?

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Mr. Payne: We did.

Mr. English: He did address it Steve.

Mr. Apicella: Okay and I'm sorry can you just refresh my memory?

Mr. Payne: We don't think VDOT will allow it because they do not want traffic to slow in that area of Route 1.

Mr. Apicella: Okay, thank you. Alright I'm gonna open the public hearing on these items and just to be clear we're talking about items 3, 4, and 5 together, anyone wishing to comment please come forward, state your name and address, green light starts the clock, yellow means there's one minute left, red means please conclude, if there's anybody interested in speaking on these matters please do so now.

Mr. Bumbrey: My name is Derek Bumbrey. We've been on that property since 1970. The currently front of the property was just taken to add two turning lanes onto the new parkway. Due to the fact that it's a steep slope coming off that going southbound on Route 1, it's already dealing with a bunch of traffic. Adding a 97 foot porkchop at the end puts that within 20 some feet of our current driveway. So you gotta deal with that traffic, the traffic coming straight on Route 1, the two lanes going straight across and two turning lanes, all that in less than 30 feet. Also, the 25 foot buffer on the other side of that 25 feet within 25 more feet is the house. That's why you can't get a 50 foot buffer because it's that close to our house. So, it would just be one big bottleneck right there at our house. Currently with the addition of the turning lane and moving the road further back, it's already the left side of the drive way, right side as you're coming in the driveway stays open. So now you're adding more rain that's gonna be pushed onto our property. And the drainage underneath the middle of the driveway right by where Taco Bell's gonna be located, it's a drain ditch that goes underneath our driveway, which a lot of rain is already coming there and now you're gonna push it even more because you're adding higher elevation. That's all about I have to say.

Mr. Apicella: Thank you sir. Anybody else who wishes to speak on this matter?

Ms. Maxin: My name's Kristin Maxin. I reside south of this site. I tried to do my research and read it as much as I could about what was being built, I totally missed the fact that there was a fuel 7-11, I knew that there was Taco Bell so that I couldn't find on the web. I did find Appendix 5 which takes the 1/3 acre that's non-useable and proposed it as a single family residence, so I might be wrong I might be right maybe I saw some old data but I ask the Board to review what is current and what is not and it's a little confusing, what would be nice is to see a topo of how all this congestion is because I think on the west, the east side is the pumps and I'm not exactly sure, I think Randall said everything I wanted to say about the congestion, it's quite confusing to know, I mean I just see a building elevation which looks like there's plenty of space but I don't think I would be using that area for actually getting gas or carry out because it just is too congested for my liking but I'm sure that there are other people that don't feel the same way I do. I'm really here because of the drainage run off, because I'm south and everything does come south but I'm very gracious to be able to hear all the other issues and the other issues I think are very very important I would say that this, the bypass is more important than runoff so I thank Randall by bringing that up I think you know it was well said. I don't quite understand the HCOD zone and all the limitations that it is taking and that zoning for the road but knowing that there probably are limitations, there's probably only so many entrances allowed here and there and so that would put a stress on the residents and so I want to take my last seconds to thank the Board and Chairman and everybody here working so hard, I appreciate it, thank you.

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Mr. Apicella: Thank you ma'am.

Mr. Bumbrey: Good evening, Jake Bumbrey. First of all I'd just like to start off that I'm basically blind-sided by this project. No one has notified us to even sit down and talk about so everything I'm seeing here I'm just getting to look at it at the last minute and basically yes it does fit the County's Comprehensive Plan but it does very little for the residential impact. Which my mom is right there on the line so when you come into off of Hospital Boulevard all the cars come in there, you got headlights gonna be shining right on the house. The drive through they're putting in is right on her side of the house. So if you're staying open until one or two o'clock in the morning that's all you're gonna here is people making orders. The light from the parking lot is gonna be a problem. I mean it's almost like you can't have your windows open in the summertime because of the noise and we all know what I-95 corridor brings, a lot of trouble, sometimes people are getting off to get gas or whatever and my mom is 85 years old and been there for a lot of years. I mean I'm 54 and I was born there and I don't want people drifting onto her property, how do you divide that, because it's so close to the 7-11, a lot of people like to hang out at the 7-11. The buffer, they want to reduce it from 50 feet to 25 feet. If that property is higher and you're gonna give me a six foot wall, if it's four feet higher am I gonna get a two foot wall? I mean I think there should be some type of way that they could do a waiver if needed to build a higher wall but I just think it's unsafe and this picture that I have right here shows where they want to put the entrance coming out and in, that's my mom's driveway that I'm standing in and that just makes it even more unsafe. We just had the roadwork done where they added the two turning lanes to get to 95, so coming out of her driveway now I gotta cross four lanes to get over. Now you're sitting there you not only have the traffic coming from the light, you also have the traffic coming out from Taco Bell and 7-11, who goes first? So to me it's just all the way around, I just feel like this project started, they've had three proffers, I think it started out as a lodge at one time that didn't work out, then it was a medical building that didn't work out, and now we're here and this is the worst of the three. I mean it's so much noise it might as well be a race track, it's just gonna be constant, 7-11 is open 24 hours a day and I'm just worried, I wish someone had kind of sat down and talked with us like I've been hearing all this evening people working with the residents in the neighborhoods trying to make it better for them, I would have liked that same respect, conversation before we got here.

Mr. English: Your time's up Mr. Bumbrey.

Mr. Bumbrey: Oh I'm sorry, I'm sorry. Thank you so much, I just wish that I could meet with somebody to sit down before you guys make a decision.

Mr. English: Sure, okay.

Mr. Bumbrey: Thank you so much.

Mr. Apicella: Thank you sir.

Mr. English: That's all the people in the audience Steve.

Mr. Apicella: Okay, thank you Mr. English. Would the applicant like to come forward and address the comments made? I heard a couple people mention drainage issues, so if you can address that for sure.

Mr. Payne: Thank you Mr. Chairman, members of the Planning Commission, again Charlie Payne, I represent the applicant. First I want to apologize to the Bumbrey family, that's my fault for not reaching out, it's just been a somewhat challenging year in trying to communicate with people and to meet with

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them so I apologize and I've given Mr. Bumbrey my contact information I promise we'll talk. So that's my fault, that's no one else's fault.

Mr. Randall: Could you go to that, could you pull up the overhead and I'd like, nope the actual overhead of the land?

Mr. Payne: Right there?

Mr. Randall: Yeah you need to erase the blue though. Joe? Do the erasing thing. There we are. Okay we're gonna, we may have to use a little help. So the houses that you're talking about that were brought up through the citizen comments are just south of the property is that correct?

Mr. Payne: It's here I believe. Is that correct Mr. Bumbrey?

Mr. Bumbrey: Yes it's that one.

Mr. Randall: Okay and your entrance, so the drive way that they talked about comes right down to the property line?

Mr. Payne: I think it runs along here all the way to Route 1.

Mr. Randall: You're still in erase mode. Okay. And how far is it from their driveway to your t-bone?

Mr. Payne: Jennifer, sorry I have to defer to you, I looked at the plan and I couldn't figure the scale on it .

Ms. Shea: So from the edge of their driveway to like the end of our taper there's about 50 feet.

Mr. Randall: From the end of your taper, so you're saying from the beginning of your taper, from the time I actually make a right hand turn if I go down the 97 feet of the taper, it's another 50 feet to their driveway?

Ms. Shea: No, so on the exit side of the porkchop-

Mr. Randall: Yup.

Ms. Shea: -there is the radius and then a four to one taper back to the existing roadway for the exit's condition and to their driveway at the, where we actually connect to the existing road is about 50 feet to their driveway.

Mr. Randall: Okay. Alright.

Mr. Bain: That's close to 150 feet from the actual exit right at the porkchop is that right? In other words from the porkchop-

Mr. Payne: And we can't go further-

Ms. Shea: It's 110 feet from the center of the exit lane at the porkchop to the driveway.

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Mr. Bain: 110, okay.

Mr. Payne: I think this battery may be shot. Thank you.

Mr. Randall: That's my fault I didn't see, so what you're saying, I'm just trying to get a sense of, so from the, from that t-bone right there, from the porkchop right there, from the end of that porkchop to the front of their driveway you said it was what about 50 feet?

Ms. Shea: The end of the porkchop, it's about 125 feet.

Mr. Randall: Okay, alright. So from the end of the taper then it would be about 30 feet?

Ms. Shea: About 50 feet.

Mr. Randall: Yup, right there.

Mr. Payne: So you're talking about from the end of this taper right here?

Mr. Randall: Yeah, I want to know how far it is from that taper to their driveway.

Ms. Shea: Correct, that taper is like 50 feet to the driveway.

Mr. Payne: So, and Carl or Jen could probably answer this, we can't move the entrance any further north because it's too close to the intersection so that's as tight as we can get it.

Mr. Randall: Yup, no I understand. I understand, okay. And then based on what the conversations were, what the comments that were made, I'm assuming this rectangle at the bottom of the screen is where his house is, where his mother's house is.

Mr. Payne: I think it's right here.

Mr. Randall: And he mentioned about the six foot, so where does that six foot fence measured, where is that measured from? Is it measured from-

Mr. Payne: It's along our property line.

Mr. Randall: Right but just north of that is a significant retaining wall because you're gonna be how much higher elevation at the Taco Bell versus their land.

Mr. Payne: I don't know the answer to that, Jen do you the topo difference?

Ms. Shea: No we really haven't prepared a grading plan for the site yet.

Mr. Randall: Well because he makes a good point right, you put a six foot fence down at the property line and if your elevation is ten foot higher than her house, the six foot fence does nothing to protect or it lessens the value of the fence as a reason to minimize the buffer from 50 feet to 25 feet.

Mr. Payne: Well let's not forget, we have a 25 foot landscaping buffer as well in between the fence and the retaining wall.

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Mr. Randall: Sure.

Mr. Bain: Would it be reasonable to suggest putting the fence on top of the retaining wall rather than down on the ground at the property line?

Mr. Randall: Right that was my next suggestion.

Mr. Payne: I defer to County staff and our engineering team.

Mr. Randall: Well we just sat through several previous discussions where the fences were not at the property line they were right on the property itself for various reasons. One of them was because of grading. It's too far down if we put a fence down there it doesn't do any good. Well here we are, we put a fence down at the property line, grading is so low the fence doesn't do any good. So I think unless that's gonna be a 15 foot high fence, because there may be a 10 foot difference in elevation because of the retaining wall and I'm sure that's why it's there. I would consider, the only way to make this work would be to put the fence at that retaining wall. Right on the top of the retaining wall so that there's actually a six foot full buffer between the Taco Bell drive through and their house. Because right now if you put it at the bottom where the property line is, I would say there's really no buffer at all then. Because there will be a direct line of sight from her house to that Taco Bell. Which is not the intent of that fence.

Mr. Payne: Jen, go ahead.

Ms. Shea: The reason we've shown the fence where it's located is because the design and construction standards for the landscaping that Stafford's document, to reduce the transitional buffer it does state that the fence should be located nearest to the abutting property.

Mr. Randall: And in most cases I would agree with that, but I think the reason why we have the six foot fence as a reason to mitigate the buffer is so that it does the same work as the buffer and in this case I think because the fence is such at a lower elevation that it really doesn't do any benefits to the buffer to keeping the activity at the Taco Bell away from the resident. And so either we move the fence, either we make it a high enough fence to meet the requirements of minimizing the buffer or we move the 6 foot fence to the retaining wall in that location, so it really does do what the waiver's intended to do.

Mr. Apicella: Mr. Randall I'm gonna jump in and piggy back off of you and just throw it out on the art of the possible to the applicant, to Joe and to Jeff, what can we do here to minimize the impact to the abutting property owner? How much flexibility do we have here? Anybody?

Mr. Harvey: Mr. Chairman?

Mr. English: He won't give an answer tonight are you? It's something that, I think it's something that we're gonna have to let them look at too Steve and maybe defer it and have them come back and see if they can work something, I don't know if they can work it out tonight. And that gives them time for the applicant-

Mr. Apicella: I mean at least we can hear from Jeff to see if the fence can be move-, so I heard the requirement is to put the fence close to the property line as possible, I just want to hear from Jeff, how much flexibility does the applicant have based on those requirements to move it in the way that Mr. Randall is suggesting, and/or are there other things that the applicant could do to further mitigate the

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impact, especially given that we're no longer talking about a 50-foot buffer, we're talking about a 25 foot buffer so again I'm gonna throw it back to Jeff, Mr. Harvey.

Mr. Harvey: Thank you Mr. Chairman. Based on the fact that they're not eliminating the requirement for the fence, I think that the placement of the fence can be modified based on an alternative compliance. An alternative compliance is an administrative modification that I can approve so if there's some agreement on where the fence is to be located it can be shown on a corrected generalized development plan or a condition of the permit and then we would approve it that way.

Mr. Apicella: Okay thanks Jeff.

Mr. Payne: Could we make it a condition that at site plan stage, pursuant to staff's determination that the fence would be located in the best location to the view of the adjoining neighbor? I mean it accomplishes your same, what you're trying to do here.

Mr. Cummings: Well I think it's not necessarily the view but the impacts right and so if we can put that language in with the certain impacts and list the impacts I think we might be close to getting there. One other thing and I hate to jump on with the drainage issue if we could try to address that because it was noted by both, by two...

Mr. Payne: Jen can correct me but all our water is going this way, going west into our stormwater management facility, it's not going south. So uh I only propose that, we've been in the queue for a very long time and it's not your fault and it's not staff's fault, it's just the conditions we're living in but to assure, ensure that what you're trying to accomplish here is to buffer the neighbors as maximum extent possible pursuant to the design standards, the alternative design standards are pursuant to the discretion of staff we, unless my client disagrees with me we'd leave it up to that condition as being in discretion to staff to determine what where's the best position for the fence.

Mr. English: I hear what you're saying Mr. Payne, I understand everything like that, but I feel bad for the residents too that nobody's reached out to them so I don't think it's fair to them, I think that we need to, I think that we need to defer at least 30 days that we can meet with them and y'all guys try to work something out with them, I think that's the fairest thing to do because I think they were, quoting them they were blind-sided tonight they just didn't know about it so that's the way I feel about it so that's gonna be my recommendation other than if anybody else has anything but it gives us a little bit of time and to work this out.

Mr. Payne: And we'll talk to the neighbors absolutely and we'll focus on this fence and this buffer. Thank you. Unless you have some other questions?

Mr. English: No I don't.

Mr. Apicella: Alright thanks to the applicant and to the public for providing their comments, I've closed the public hearing I'm gonna bring it back to the Commission. Mr. English, this is in your district what would you like to do? You mentioned 30 days, I would just maybe recommend the first meeting in January as an alternative.

Mr. English: I am and also Steven I want to leave the public hearing open I don't want to shut that down right now but I do want to defer all three of those and I'm gonna make that motion in a minute but I want

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to make the deferral three of them but leave the public hearing open and I want to defer it to our next meeting in January so, my motion is to defer RC-

Mr. Apicella: Before you do that let me just state for the record, a course correction that I'm gonna leave the public hearing open, it's not closed.

Mr. English: Thank you Steve. Alright I make a motion that we defer RC20153242, can I do this all in one or do we gotta do them separate?

Mr. Apicella: We need to do them separate.

Mr. English: Okay, she said we could do them all in one? So I'm deferring RC20153242 the reclassification, also deferring the CUP 20153243 conditional use permit at Taco Bell and also deferring CUP 20153244 the conditional use permit for the Courthouse 7-11.

Mr. Apicella: Okay thank you Mr. English, is there a second?

Mr. Randall: I'll second that.

Mr. Apicella: Okay thank you Mr. Randall. Okay any further comments Mr. English?

Mr. English: Yeah and I'd like to I mean I want to again, just so I can like Mr. Payne said the times we're living in and I think we as a County should apologize to the residents for not getting back to you and letting you know what's going on, I know they put the sign out cause I did see the sign for the public hearing tonight I don't know when you see that but again as part of the County I apologize on our end of it and I'm sure Mr. Payne does too so we hope we can work something out. Yes sir.

Mr. Apicella: Any comments Mr. Randall?

Mr. Randall: Maybe you can talk to Taco Bell about a free life time pass or something I don't know. The only comment I would have is I, this is a great addition to this area, I think this is the first step, I really am stuck in the bypass lane though, I don't know if you can look at it again. It would be a hard press for me without the bypass lane. I really think this is good there. It'll be the start of a good section of businesses all up and down this area but I would like to see a bypass lane, thank you.

Mr. English: And I'm also very confident Mr. Payne will work something out, he's a good guy.

Mr. Apicella: Thank you Mr. English, thank you Mr. Randall any further comments from any other Commissioners?

Mr. Cummings: Mr. Cummings has a comment.

Mr. Apicella: Okay Mr. Cummings.

Mr. Cummings: Again apologies to the applicant because again they started this quite some time ago and I think that they've done, they've tried to make it work for that space, I must admit I'm not certain that it is the space for the use but we would, it is a welcome addition to the area and we would love to have it in that corridor or somewhere where it makes sense if you could Mr. Payne I'm certain will work out the details with you and if it's at all possible he'll make it happen and we again would love to have

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this in the corridor. I will say and this is my only reason for speaking on this issue is that it's part of a larger issue in terms of how things are coordinated and intersected within the County. We have downtown Stafford coming up next on the agenda and it's a big deal for us and so we have to make sure that we get it right so thank you all for your patience and like I said it's growing pains but it will stand us all in good standing once we get it right, thank you.

Mr. Apicella: Thank you Mr. Cummings and Mr. English, just to reiterate and clarify, we are, you're deferring this to the first meeting in January?

Mr. English: Correct.

Mr. Apicella: Great. Okay so there's a motion to defer items 3, 4, and 5 all related to Courthouse Tracts to the first meeting in January. Mr. Bain how do you vote?

Mr. Bain: Yes.

Mr. Apicella: Ms. Barnes?

Ms. Barnes: Yes.

Mr. Apicella: Mr. Cummings?

Mr. Cummings: Yes.

Mr. Apicella: Mr. English?

Mr. English: Yes.

Mr. Apicella: Mr. McPherson?

Mr. McPherson: Yes.

Mr. Apicella: Mr. Randall?

Mr. Randall: Yes.

Mr. Apicella: Mr. Apicella votes yes, the motion to defer these items passes unanimously, thank you everybody.

6. Amendment to the Stafford County Comprehensive Plan - A proposal to amend the "Neighborhood Development Standards Plan," dated September 19, 2012, as last revised on December 4, 2012, an element of the document entitled "Stafford County, Virginia, Comprehensive Plan 2016-2036," adopted on August 16, 2016, as last revised, pursuant to proposed Resolution R21-03. The amendment would add "Senior Housing Design Standards" as a new chapter to the Neighborhood Development Standards Plan. **(Time Limit: January 28, 2021)**

Mr. Apicella: Moving onto Item 6 Mr. Harvey.

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Mr. Harvey: Thank you Mr. Chairman. Item 6 will be presented by Mike Zuraf, it's an amendment to our Comprehensive Plan for Neighborhood Design Standards for senior housing.

Mr. Zuraf: Good evening again Mr. Chairman, members of the Commission. So this issue is for the Planning Commission to consider amendments to the Comp Plan to amend the Neighborhood Development Standards plan to add senior housing design standards as a new chapter in that NDS plan. When the, for some background, when the Board adopted the R-5 Age-Restricted Housing zoning district it was noted that the NDS plan did not have standards pertaining to senior housing. The Board did request the Planning Commission prepare guidelines regarding senior apartments. A subcommittee of the Commission met over the summer and developed a set of draft guidelines which was accepted by the full Commission. On October 20 the Board did initiate the public hearing to proceed to incorporating the guidelines into the NDS plan. So as an overview these guidelines would provide a framework to guide the planning design and review of new senior housing developments in the County. The guidelines represent preferred standards for senior housing design, universal design, and visibility elements and features are recommended that facilitate senior safety access and mobility. The draft document includes design guidelines that are grouped in several categories related to the overall planning for senior housing development. These categories include establishing siting criteria where senior housing should be located within the County, providing recommendations for site design and overall layout of a project, recommended architectural design and preferred building features, descriptions of the building features that should be found within individual building units, and guidance for operation and management best practices. The plans intended to provide guidance to applicants of new senior housing developments when seeking rezoning or a conditional use permit. An applicant would be expected to identify how they conform to these guidelines or provide a justification of why they may not be able to meet certain guidelines. So the Comprehensive Plan does include general recommendations in support of senior housing, in Chapter 2 of the plan there are several objectives and policies that promote housing that is designed for senior residents and encourages some of the features recommended in these proposed guidelines. Staff is supportive of amending the Comp Plan to update the Neighborhood Design Standards plan to incorporate the Senior Housing Design standards pursuant to resolution R21-03. That concludes my presentation.

Mr. Apicella: Thank you Mr. Zuraf, questions for staff? Okay. Thank you again Mr. Zuraf, I'm gonna open the public hearing on this item. As before same ground rules, anyone wishing to comment please state your name and address. Green light starts the clock, yellow means there's one minute left, red means please conclude. Anyone wishing to speak on this item please come forward. Okay seeing no one I'm gonna close the public hearing and bring it back to the Commission for further deliberation and action.

Mr. Randall: Mr. Chairman?

Mr. Apicella: Yes, Mr. Randall.

Mr. Randall: I'd like to make a motion to approve the amendment to the Stafford County Comprehensive Plan Neighborhood Development Standards for Senior Housing Design Standards.

Mr. McPherson: Second.

Mr. Apicella: Thank you gentlemen. Any further comments Mr. Randall?

Mr. Randall: No.

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Mr. Apicella: Mr. McPherson?

Mr. McPherson: No.

Mr. Apicella: Anyone else? Okay just real quickly I want to thank everyone who's worked on this for several months including the subcommittee and Mr. Zuraf and Mr. Harvey. I think this is long overdue design guidelines and I believe these standards will help achieve the desired goal of promoting senior safety ability and accessibility. Again thank you everybody for their work on this. So there's a motion to approve the amendments to the Comp Plan Senior Housing Design Standards. Mr. Bain how do you vote?

Mr. Bain: Yes.

Mr. Apicella: Ms. Barnes?

Ms. Barnes: Yes.

Mr. Apicella: Mr. Cummings?

Mr. Cummings: Yes.

Mr. Apicella: Mr. English?

Mr. English: Yes.

Mr. Apicella: Mr. McPherson?

Mr. McPherson: Yes.

Mr. Apicella: Mr. Randall?

Mr. Randall: Yes.

Mr. Apicella: Mr. Apicella votes aye. Motion carries unanimously. Thank you everybody. Onto item 7.

7. Amendment to the Zoning Ordinance - Proposed Ordinance O20-44 would amend the Zoning Ordinance, Stafford County Code, Chapter 28, Article VII, Table 7.1, "Required Parking and Loading Spaces," regarding parking and loading space requirements to delete "retirement housing" as a listed use category. **(Time Limit: January 28, 2021)**

Mr. Harvey: Mr. Chairman this item is a public hearing to amend Zoning Ordinance regarding retirement housing parking. If you'd please recognize Brian Geouge for the presentation.

Mr. Geouge: Good evening Mr. Chairman, members of the Commission, I'll be presenting this. This is a proposed amendment to the Zoning Ordinance to modify or remove rather the parking rate for retirement housing as it is currently found in Table 7.1. A little background on this so back in 2017 the Board adopted the addition of the R-5 Age-Restricted Housing district. At that point shortly thereafter they referred amendments to the Neighborhood Design Standards plan to address senior housing which was just covered. In 2020 the Planning Commission accepted the draft to the Neighborhood Design

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Standards plan but concerns were raised at that time regarding the adequacy of parking requirements for retirement housing. October of this year the Board referred two items to the Planning Commission, they mimicked the Comp Plan and the amendment to the Zoning Ordinance to modify Table 7.1 Originally the draft Ordinance proposed to increase the parking rate for retirement housing from one space per unit to two spaces per unit but at the November 18 Planning Commission meeting the Commission voted to change this by eliminating the specific rate for retirement housing all together so there fore the standard rates for each dwelling type would be used for those retirement housing dwellings. Staff did research on our peer localities to see what rates they utilized for retirement housing, you can see that on the table here. Only a handful of the localities had specific rates for retirement housing including Chesterfield County which had 1.2 per unit, Hanover 1.5, and Prince William was very low at 1/3 per unit. And then we also looked at the ITE Manual and what that recommends and found that the recommended parking rate was .6 per unit for retirement housing. So again, proposed Ordinance O20-44 would remove the retirement housing parking rates from Table 7.1. Just to let you know the standard rates for parking that would be utilized would be two spaces per unity for single-family and duplex, 2 and a half per unit for town homes and 2.2 for multi-family. Staff believes that these standard rates would be adequate and appropriate and it would also help account for guest parking needs. Staff is recommending approval of this Ordinance to amend Table 7.1 by removing the rate. We do note that the referral resolution gives the Planning Commission the ability to make changes as they deem necessary and the time limit is January 28th. And that concludes my presentation.

Mr. Apicella: Thank you Mr. Geouge, questions for staff?

Mr. Randall: Yes Mr. Chairman I have one quick question. Remind me again Mr. Geouge are those, are those numbers that you talked about, do they include a garage, do they not include the garage?

Mr. Geouge: They do not include the garage.

Mr. Randall: They do not include the garage. But they do include the length of the driveway right? And that's what, we talked about that the last time we talked about this it was 22, 20 feet long by 9 feet wide was one parking right, so if I had a 40-foot long driveway and it was 18 feet wide then I could considerably have four parking spaces that would count, correct?

Mr. Geouge: Correct.

Mr. Randall: Alright, but garages do not count.

Mr. Geouge: Yes.

Mr. Randall: Thank you.

Mr. Apicella: Any other questions? Okay seeing none, thank you Mr. Geouge. Okay I'm going to open the public hearing on this item, same ground rules as before up to three minutes to speak, anybody wishing to speak on this item please come forward now. Okay seeing no one I'm going to close the public hearing on this item bring it back to the Commission for discussion and potentially a motion.

Mr. McPherson: Mr. Chairman I'd like to make a motion to approve proposed Ordinance O20-44 to amend this Zoning Ordinance Stafford County Code.

Mr. Apicella: Thank you Mr. McPherson. Is there a second?

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Mr. Bain: Second.

Mr. Apicella: Thank you Mr. Bain. Any further comments Mr. McPherson?

Mr. McPherson: No additional comments thank you.

Mr. Apicella: Mr. Bain?

Mr. Bain: No sir.

Mr. Apicella: Anybody else? Okay there's a motion to approve proposed Ordinance O20-44 amending the parking requirements associated with retirement housing, Mr. Bain how do you vote?

Mr. Bain: Aye.

Mr. Apicella: Ms. Barnes?

Ms. Barnes: Yes.

Mr. Apicella: Mr. Cummings?

Mr. Cummings: Yes.

Mr. Apicella: Mr. English?

Mr. English: Yes.

Mr. Apicella: Mr. McPherson?

Mr. McPherson: Yes.

Mr. Apicella: Mr. Randall?

Mr. Randall: Yes.

Mr. Apicella: Mr. Apicella votes aye. The motion carries unanimously that concludes our public hearing because Item 8 is deferred until February. Mr. Harvey next item on the agenda.

8. RC19152902; Reclassification – Tree Haven Rezoning - A proposed zoning reclassification from the B-1, Convenience Commercial Zoning District to the A-2, Rural Residential Zoning District on Tax Map Parcel No. 18-78, consisting of 3.67 acres (Property), to allow for the development of 3 single-family dwellings. The Property is located at the southwest intersection of Mountain View Road and Tree Haven Lane, within the Rock Hill Election District. **(Time Limit: February 26, 2021) (History: November 18, 2020 Public Hearing Continued to February 10, 2021)**

UNFINISHED BUSINESS

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9. CUP19152654; Conditional Use Permit – Embrey Mill Phase 2A - A request for a conditional use permit to allow 168 multi-family and 80 townhouse retirement housing units within the PD-2, Planned Development 2 Zoning District on a portion of Tax Map Parcel No. 29-53 (Property). The Property consists of 20.3 acres, and is located at the end of Boxelder Drive in the Embrey Mill subdivision, within the Garrisonville Election District. **(Time Limit: February 26, 2021)**
(History: Deferred on November 18, 2020 to December 9, 2020)

Mr. Harvey: Thank you Mr. Chairman this is an item where the Planning Commission is considering a conditional use permit for retirement housing within the Embrey Mill community of Stafford County and Mike Zuraf will give the staff update.

Mr. Zuraf: Good evening again. So the Planning Commission first considered this application at your last public hearing on November 18th. The Commission did defer the item to this meeting requesting more information regarding how the project would conform to the new draft Senior Housing Design guidelines which you know you just considered in the previous public hearing. So subsequent to the Planning Commission meeting the applicant met with staff to review their, they conducted an audit of the project's compliance with the Senior Housing Design guidelines as a result of that review the applicant produced a design guideline document for the project with development features that the applicant is committing to incorporate into the development. Attachment 2 in your package is the Embrey Mill Senior Housing guidelines document. Staff's proposing these guidelines be included as a condition of approval. Attachment 3 is the audit of the Senior Housing guidelines that evaluate conformance with each of the recommendations. If you look through that staff notes that the audit does state that most of the development-, states that the development conforms with most of the in-unit recommendations however many of those recommendations are proposed to be buyer's options. So I just want to point out that specific feature of the audit. The approval resolution R20-380, that's Attachment 1, does include a few changes to the conditions so new condition nine would recommend the project incorporate the design guideline document that I've referenced and then conditions three and five are modified to clarify that the first level non-combustible wall materials and the sprinkler systems and stand pipe system requirements are measures that are only required on multi-family units. It was not the intent to require those measures in the single-family attached townhouse villa unit types. So staff is generally supportive of the application and recommends approval of the application with conditions pursuant to R20-380 with the changes and that ends my update.

Mr. Apicella: Thank you Mr. Zuraf, questions for staff? Okay I've got some questions. Mike, as I read the guidelines they say that they shall be provided as minimum standards that should be provided in every project, is that correct?

Mr. Zuraf: Yes.

Mr. Apicella: It doesn't say that those should be buyer's options, my reading is that those would be standard, not buyer's options but... where an applicant doesn't provide specific features don't they need to provide an explanation for the guidelines?

Mr. Zuraf: Sorry can you repeat that?

Mr. Apicella: So the guidelines themselves say where an applicant doesn't provide a specific feature they need to provide an explanation why they're not providing it, is that correct?

Mr. Zuraf: I'll take your word for it.

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Mr. Apicella: Yeah, it does say that. So, in going through the material as you noted if not most of the recommendations at least many of the recommendations of the in-unit features are not being provided as standard but only as buyer's options, is that correct?

Mr. Zuraf: That is correct.

Mr. Apicella: And most of those cases were they're only providing it as a buyer's option, again not as a standard, I did not see an explanation why they're not providing it as a standard. Did you come to the same conclusion?

Mr. Zuraf: Right, they do not get into explaining that.

Mr. Apicella: Under federal and state rules a property seller cannot discriminate against buyers who are say 65, 75, or 85, is that correct?

Mr. Zuraf: I'm not certain.

Mr. Apicella: Yeah, I think that's the case. And you certainly can't kick somebody out because they bought a house when they were 55 and now they're 85.

Mr. Zuraf: Right.

Mr. Apicella: Okay, that's it for questions from me.

Ms. Barnes: Chairman Apicella I just had a quick question, I'm sorry I missed it I stepped away for a second. Do you have a percentage, you just mentioned that a lot of these requirements are going to be offered as upgrades, is there a percentage? I know last time you guys did a quick calculation, what is the percentage that is going to be offered as an upgrade versus what's going to be, what's it called in the building industry, standard or base or anything like that. Does that make sense?

Mr. Zuraf: Yeah I did not quantify the percent of options versus standard.

Mr. Apicella: Any other questions for staff? Alright thank you Mr. Zuraf. Again would the applicant like to come forward?

Mr. Caruthers: Good evening Mr. Chairman, members of the Planning Commission. Thank you again for having me, I'm Larry Caruthers with Embrey Mill and Mike stole all of my thunder; however, I did prepare a short presentation but in the interest of time I'm gonna be extremely brief because I think you were very clear last time and gave us great directions and with that we did provide the audit spreadsheet and we did comply with the 90% with options, 67% if you took all options out, and just to clarify the options, you know most of them can be accommodated, there's a bunch that are really, so a flooring that somebody wants to choose they can come and choose that if it is slick like marble or something in the bathroom they have that option, it can be changed to a later date for sure, contrasting wall colors, so on and so forth. So that's why we give each and every unit owner the ability to customize that specific unit so you know they can make it their home. With that I would welcome any more questions.

Mr. Apicella: Questions for the applicant? Okay, again I've got some questions. Why didn't you provide most of the in unit features as standard rather than buyer's options?

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Mr. Caruthers: Again we like to give the end user, this is not um, we foresee this as for sale condo flats and we're specifically talking about the multi families here at least generally and the home buyer really wants to make this their home and choose what they want in that particular unit so if they have their eyes set on anything under the sun they can go ahead and choose that as an options, we didn't want to dictate no you have to have this color floor and that color wall or just essentially create packages for them where we ensured compliance, if they want a white marble floor and white walls and a white vanity with white cabinets they can choose that. So it offers that flexibility and customizable home for them.

Mr. Apicella: Okay so help me understand how you're gonna build these multi family structures. Presumably the structure itself is gonna be built before somebody can come in and start customizing it.

Mr. Caruthers: Uh no that's not necessarily true. So, we have 15 buildings that are the multi families in questions here at least that we're discussing. When the home buyer comes in they can choose which unit, if you'll recall we had two and three bedroom fairly large units in those and you know there might be a unit or a building under construction and they want to get in quickly and then they can customize all of the finishes and all that or you know like a lot of our residents who want a back to woods or want to be at the end of a cul-de-sac or something like that they can wait to another building and certainly choose anything they want in that unit. So no we're not, this isn't like a let's just say traditional large multi family building where you get the super structure done and then you go up and you know you're kind of locked in this is you know 10 and 12 unit buildings and you'll have one being built potentially and it will be hopefully purchased by residents and then the next one likewise thereafter that you know you customize it before we build it pretty much.

Mr. Apicella: Right, again so for the building that's already done there's a limit on what can be customized, right?

Mr. Caruthers: I don't think so either, so let's just parse that out a little bit, let's just say eight of the ten units are build or have purchasers contracts on them and we've started constructing this particular building so that leaves let's say two or four units depending, you know you can still choose in those units because the configuration is generally the same, you can choose a lot of those same options in the remaining few that aren't essentially customized.

Mr. Apicella: Okay so I'm gonna ask you, I'm not gonna go through the entire list because I've color coded my list and I see a lot of options so tell me how you would after the fact, I'm looking at number 69, that's on my Attachment 3, page 10 of 15, it says provide ample clear floor space of 30x48 minimum, add fixtures to ensure maneuverability, lavatories, toilet and tub and showers, provide turn around space either five feet diameter or t shaped turning space for diagram and Americans With Disabilities act, so it's an option. How would you do that after the fact?

Mr. Caruthers: Well in that particular what I would say is, the next building, let's just say this is building three and we have fifteen buildings, the very next building you say I want in a complete type A unit, complete with all the bells and whistles and you can get that in the very next unit. Other stuff in here such as flooring and you know single lever faucets and shower knobs and all that, that can be done, the building is nearly done.

Mr. Apicella: Right, you are confirming my point that structurally there are somethings that cannot be done after a building has already been built, so I'm gonna ask you another similar one and I'm not gonna go again through the whole list it's the next one over, number 70, toilets should be installed 38 inches from the center line to the adjacent wall to allow for alternative grab bar configurations and transfers.

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Mr. Caruthers: Yeah so I don't have it, well I do have it I just need to get to it.

Mr. Apicella: There's another one similar to it and one below it, toilets used by residents should allow sufficient clearance on both sides to enable physical access and maneuvering by caregivers who may have to assist residents in wheelchair and toilets transfers and returns.

Mr. Caruthers: Yeah, so 70 and 71 we actually said we were not complying to and it's just not a general thing we feel is appropriate for this type of facility we think it's more appropriate for an assisted living facility as outline in our audit spreadsheet, but um... you know 72 through 78 are generally yesses and have some options in those if you'd like to go through one of those. Which is flexible like 76 provide a flexible handheld and/or height adjustable showerhead extension. Again if somebody wants that they can certainly get it, certainly after the building is started and most of the way through, also showerhead same thing, hot and cold water single mixing valve, again that could be an option-

Mr. Apicella: Why wouldn't you just provide that, I don't understand why that's an issue?

Mr. Caruthers: Essentially we just like to give our customers, our residents and buyers the option of exactly what they want.

Ms. Barnes: Chairman Apicella can I jump in here for a second and ask a quick question to put it in perspective. So let's say that you said 90% of-

Mr. Caruthers: With options yeah.

Ms. Barnes: Were options. So let's say that I at my relatively young age, I do qualify, barely, want to come in and I want to build one of your units but I opt, I don't need any of this stuff so that 90% of the options that are outlined in that senior housing aren't going to be incorporated?

Mr. Caruthers: No, no, no, not all of the... sorry I think you might have misunderstood or I might have misspoke, I apologize, so we comply with 90% of the overall guidelines if you include the options.

Ms. Barnes: That's what I'm saying...

Mr. Caruthers: So some of them are standard.

Ms. Barnes: -if I don't decide to include the options then that unit is almost, would it not be, basically it wouldn't include those options in perpetuity.

Mr. Caruthers: It will include 67% if you take out the options.

Ms. Barnes: Okay got it. That makes more sense.

Mr. Caruthers: Sorry I probably didn't phrase that well.

Ms. Barnes: Okay. Well let's just go with that example anyway so let's say it's 67% so I decide that the rest of those options I just don't need because I'm still young and but later on if we wanna go and I guess if this is owner occupied then we sell it and that unit is still missing quite a lot of the standards that otherwise if they were standard to be built would be in that unit in perpetuity and would be more appropriate for somebody who was an older age, does that make sense?

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Mr. Caruthers: I do understand your point exactly and, sorry...

Mr. Apicella: I guess my comment is it would definitely restrict somewhat the buyer of that unit, because the buyer of the unit would have to go in being someone as young as yourself right?

Ms. Barnes: Granted, yes.

Mr. Apicella: And not somebody who's 85 and who's looking for all those additional things.

Ms. Barnes: Exactly yeah.

Mr. Apicella: So it would restrict somewhat, who they wanted beneficial to go into that.

Mr. English: But you would be able to go back in and put those in if need be though right?

Ms. Barnes: You could retrofit.

Mr. English: Yeah, a buyer could do it, yeah that's what I'm saying.

Mr. Bain: But you wouldn't be able to do the things like Steve mentioned about the five foot spacing and the toilet spacing, you couldn't-

Mr. Apicella: That's my point.

Mr. Bain: You'd have to tear out and do a total remodel.

Mr. Caruthers: Again a lot of these things, again are standards.

Mr. Apicella: Sir I'm going to have to disagree, I find several structural things that if you don't put them in initially are going to be very hard to do after the fact, whether it's by the original owner or by somebody who buys the property 10, 15 years down the road and my point at the last meeting, with all due respect, is somebody's circumstances when they're 55 may be materially different then when they're 65 or 75 or 85 so yeah you may get somebody who's an active adult who moves in, like Bart, but hey I might buy that unit or another unit when I'm 70 and so what I need in that unit is gonna be different then what Bart needed in that unit when he was 55 so to come back 15 years later and try to, because I'm in the 55 age group,56, but to do it downstream, some of those things are gonna be, I don't wanna say insurmountable but significantly costly because they would require a remodel.

Mr. Caruthers: I missed that last little bit, however again I do believe that we comply with the majority of the guidelines and if for some reason some of these options don't get installed initially they can be accommodated in the future.

Mr. Bain: The options? Are they all additional cost, or are they trade out, trade-offs?

Mr. Caruthers: Yeah, there are tiered system for options certainly so if you want a gold toilet that is going to be an upgrade but, no you know you get to choose faucets, you get to choose those it's not an additional cost, now if you choose very high end faucets or something like that, you know something like that, flooring is obviously standard, what kind of flooring you want you know you get the levels as you go up, if you want marble everywhere that will probably be an additional cost but...

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Mr. Apicella: Other questions for the applicant? Alright thank you sir.

Mr. Caruthers: Thank you.

Mr. Apicella: Okay I'm gonna bring it back to the Commission for further discussion.

Mr. Randall: Yes, I would like to make a motion that we approve the conditional use permit for the Embrey Mill Phase IIA project, conditional use permit 19152654.

Mr. Apicella: Thank you Mr. Randall is there a second?

Mr. Bain: I'll second it.

Mr. Apicella: Okay thank you Mr. Bain, further comments Mr. Randall?

Mr. Randall: Yes, just to go on the comments that I made at our last meeting, it's not perfect but these are guidelines, I think due diligence has been made to do what we needed them to do. It's not everything we're looking for but I do think this will be the, this will be the gold standard for 55 and over housing with the garages. I like the fact that many of these are options. I like the fact that if it can be customized and I can buy a unit that's gonna be built six months from now and I know what I want then I can customize it and the options are available. I do think that there are some things that don't apply to this kind of a structure. So I think this is gonna be a great addition to Stafford County.

Mr. Apicella: Mr. Bain?

Mr. Bain: I think the only thing I would say is that if there are items in these guidelines that we feel strongly about then we should take them out of the guidelines and incorporate them into the Ordinance as a requirement. So, at this point as Mr. Randall said they are guidelines, I believe the applicant has gone a long way and done a decent job, certainly not perfect but I would support their application.

Mr. Apicella: Anybody else? Okay, looking at the design of condos and the single family homes I would say that they may well be some of the nicest retirement homes here in Stafford, but unfortunately they will not include a significant amount of the in-unit features that we just recommended to be included in our Comp Plan and we identified those as necessary to promote senior safety, mobility, and accessibility. And the purpose of these guidelines is again to help owners age in place and so while the builder may market these homes to active adults, as was said earlier, seniors needs will change over time as they get older and I can't support a project that only complies with 67% of what the guidelines say especially when many of the buyer's options that they're proposing are structural in nature and would be very difficult for a home owner to achieve downstream. So, I do think and I do appreciate that they, met some or more than 50% of what we've asked for, many of those are outside the unit as compared to inside the unit, unfortunately I can't support this particular CUP because again it doesn't not offer up many of the in-unit features that we determined should be necessary going forward and I would say that Vistas, in my opinion, would be the gold standard, this might be the bronze standard so, that's where I'm at on this one. Any further comments? Okay um, there's a motion to approve for approval of the CUP with the most current conditions provided in the staff report. Mr. Bain how do you vote?

Mr. Bain: Yes.

Mr. Apicella: Ms. Barnes?

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Ms. Barnes: No.

Mr. Apicella: Mr. Cummings?

Mr. Cummings: Yes.

Mr. Apicella: Mr. English?

Mr. English: Yes.

Mr. Apicella: Mr. McPherson?

Mr. McPherson: Yes.

Mr. Apicella: Mr. Randall?

Mr. Randall: Yes.

Mr. Apicella: Mr. Apicella votes no, motion carries 5-2. Thank you everybody moving on to the next item, Mr. Harvey.

10. Amendments to the Comprehensive Plan and the Zoning Ordinance - Discuss proposed Resolution R20-81 and proposed Ordinance O20-20 to amend the Comprehensive Plan and Zoning Ordinance for the Implementation of the Board of Supervisors Healthy Growth Strategic Plan Priority. **(History: PC Work Session October 7, 2020) (BOS-PC Joint Public Hearing October 29, 2020)**
11. Downtown Stafford - Authorize public hearings for a Comprehensive Plan Amendment and a Zoning Ordinance Text amendment regarding the UD, Urban Development, Zoning District, and a zoning reclassification application for approximately 29 acres to the UD Zoning District, in the Courthouse Planning Area. (Time Limit: February 12, 2021) (History: PC Work Session December 2, 2020)

Mr. Harvey: Thank you Mr. Chairman, the Planning Commission had a work session at your meeting last week, on Wednesday the 2nd, and that was dealing with Downtown Stafford. Staff has prepared some updated information for you and also wanted to reiterate the directions going forward, from the Planning Commission. So, Brian Geouge and Kathy Baker will be providing input to the Commission.

Mr. Geouge: Good evening again Mr. Chairman, members of the Commission. As Mr. Harvey stated, we will be covering the Downtown Stafford item. Specifically, again here, focusing on the proposed Urban Development district amendments. So, you may recall, it was only about a week ago, that we had a work session on the proposed UD Ordinance amendments. There were several take a-ways from that meeting. Comments received from the Planning Commission included concerns that removing the maximum floor area ratio may remove incentives to use Transfer of Development Rights for commercial properties. Eliminating building setbacks for certain building types was also another concern, eliminating the street buffer requirement was a concern as well and a suggestion that that could be potentially addressed with wider sidewalks. The Commission asked that we provide images for desired streetscapes, which I will get to later, also bicycle facility requirements was mentioned and the need for additional facilities. Green spaces was also a concern, and I will note that the UD district does require

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each UD development to incorporate passive and active green spaces within the development. However, there are not really any specifics on how frequent those should be and what size they should be. The Commission also suggested that we amend the purpose of the UD district, found in Section 28-34 to state that they are specifically to be used in the TGAs, where as now the term that is in there is still Urban Development Area. And also, it was mentioned to consider requiring a mix of uses within the UD District to promote varying housing types and integration of commercial uses. Also, there was a comment in regards to the comp plan that the TGA numbers need to be updated to reflect the increase in multi-family housing and a comment about streamlining UD rezoning projects, comments about impacts to public facilities and finally the Planning Commission asked to put a resolution to the Board requesting an additional 45 days for this. Just a quick overview again, here's the initial area in questions, at least the area shown in the hashmarks at the top of the image here, represent the County and JPI owned properties consisting of about 29 acres. We estimate that that... in this area, based on the concept plan, we would have just under a thousand units, multi-family units mainly. And that would equate to about 44 and a half units per acre across the entire 29 acres and up to a FAR of about 3.0 on an individual block basis. For the total area, excluding the Burn's Corner project shown on the left side of the image, would be about 85 acres, 2,500 units, 29 units an acre and again about 3.0 FAR, if you look at individual blocks. So, to provide some visuals on floor area ratios and heights, we looked at a couple of locations. This is Rockville Town Center shown here. If you look at the area outlined in yellow, it's about six acres and just as a caveat here, these measurements here are rough. They were just based on measurements off of aerial imagery. This includes a mix of retail, apartments, a little bit of office and also a library, which is shown, if you look at the aerial image, it's the building on the lower right. Estimated that this would have a FAR of about 2.7, this includes buildings that are 3 to 5 stories in height. It includes the Town Square, you can see that there in the center as well. I think, they have an ice-skating rink set up in this image. But, that town square consists of about 0.6 acres.

Mr. Apicella: Hey Brian, before you move on, can you go back? So, I see a... I see trees in the front of the building. How does the distance of the trees in this picture compare to the distance of trees that we are recommending in our proposes here, in front of us?

Mr. Geouge: It is hard to say, I would... I think with the design... the DCSL requirements, you need to have a tree about every 50 feet. So, it may be...

Mr. Apicella: It certainly looks like these trees are closer than 50 feet.

Mr. Geouge: That could very well be, yes.

Mr. Apicella: Alright.

Mr. Geouge: We also looked at National Harbor, this is just one block example. Here, outlined in yellow, this area outlined is about 3 acres. Includes an apartment building, which has ground floor retail. The FAR is estimated to be about 2.7. You can also see here on the aerial image, there's parking internal to the building, that's actually a parking garage that's within the apartment building essentially. This is a six-story building and also there's an image provided here on the right, this building in question is shown on the left side of that image. This is a little bit of a unique set up here, if you look over on the right side of the image there, where Ms. Monroe is standing, you will see a, essentially a wide median between the travel lanes, where they have hardscaped areas and benches and things like that.

Mr. Apicella: So, again I am going to take you back and I am going to kind of reiterate what Mr. Randall said at the last meeting. It certainly looks to me, at least on the right side of the bottom picture, that there

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is quite a distance between the edge of the building and the street itself. So, again how does that compare to what is being proposed in the UD design criteria that we are looking at today?

Mr. Geouge: Yeah, and I will get to that little bit more later, but on average, I did take some rough measurements on the sidewalk areas. And I found that in general they tend to be around 16 foot from curb to building. With our current design standards, it would essentially be 14 feet. So, a little bit narrower, on average, I would say.

Mr. Apicella: Okay, thank you.

Mr. Geouge: I also looked at Downtown Fredericksburg, a few blocks here. So, starting with the block bound by Princess Anne, William, Caroline and Amelia Streets, this is just over two acres. It includes 154,000 square foot of building floor area, and that aduquates to a FAR of about 1.75. This does include buildings that range from one to five stories in height. However, most of them here are two stories. The next block bounded by Princess Anne, George, William and Caroline Streets, is a little under two acres with 120,000 square foot of floor area, for a FAR of 1.47. This is one to two stories in height, but again mostly two stories. And finally, the block bounded by Princess Anne, Charlotte, Caroline and Hanover Streets, right at two acres, 157,000 square foot floor area for a FAR of 1.72. and this includes buildings two to three stories in height. Here's a image of the conceptual development plan for the County owned property. You will see there's some orange areas highlighted on the map, those represent where you would have retail uses. The ones on the left, I think the upper... the upper portion of the image, those would be integrated with multi-family buildings. So, just as a comparison the typical street section that we would look at for these areas, likely, would be the main street parallel street type, which is shown on the lower left. Which is intended to be uses for connector streets and mixed-use areas. The sidewalk would extend from the curb to the buildings with tree pits at regular intervals. And there is also an example photo provided here, which is Bethesda, Maryland. As I mentioned before, I took a rough measurement of this walkway here, and it appeared to be about 16-foot wide. Which, if you look at our typical section, we have 6-foot planning area which, for this purpose is sort of part of the walkway, since you have tree pits in addition to an 8-foot sidewalk, for a total of 14 feet.

Mr. Bain: Yes, but you didn't see anybody walking along that tree area, they were all in the sidewalk side.

Mr. McPherson: They were sitting in the tree area.

Mr. Bain: There's a few people sitting in a bench, but they are really not able to use the sidewalk for walking. And if you went back to the one in Fredericksburg, if you have the tree there, sometimes two people can't get past...

Mr. Geouge: Right.

Mr. Bain: ... without walking one behind the other. So, we definitely don't want Fredericksburg.

Mr. Geouge: Yeah, I should mention that it looked like Fredericksburg, in general, was about 10 foot total, so, including the landscape area. Here's another example, this is the avenue street type, which includes a landscape median and also includes bike lanes and parallel parking areas. This design can be used with two or four lane configurations, and it is intended to be used with mixed-use or commercial areas. The sidewalk and planting areas here, adjacent to the buildings, would be similar to the last example. And this photo here is New York Avenue in D.C., which is, as you can see, a four-lane road.

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Then again here that walkway planting area combined is about 16 feet. Here is another street type, it's called the main street angle design, which does not include bike lanes and as you can see, it included angled parking. The design is intended to be used for connector streets in mixed-use areas. The sidewalk and landscaping configuration would be similar again. This photo is Akron, Ohio and I will note that there are some other street types in the Ordinance as well, for example residential and mixed-use alleys, which I did not get into with this presentation. And the next slides, Kathy Baker is going to take over and present.

Ms. Baker: What's that? Oh, thank you. Alright, I am going to... these are a lot of slides, but I am going to go through them quickly, but you can stop me at any time. I wanted to point out that I looked at Shirlington, Reston and National Harbor and one of the key takeaways in looking at all of these areas, while you have the designated town center area, obviously they are surrounded by other forms of development and in most of them you do have other forms of accessibility. You have trails that are coming into the projects, you... in many of the area you've got other forms of transportation. You've got your metro, your bus stops, so, there are a variety of types of access and getting around in these areas. So, starting with Shirlington, this is just the aerial view, I wanted to include a trails map just to kind of tell you the point that I was trying to make. You will see the green lines on this map that are going towards the main village area, this is again right off of 395. This is the main area, I have just kind of labeled, they are not the names of the roads, but a main street and two perimeter streets, and your trails are marked on this. The main street is where you've got your larger concentration of the restaurants and shops and more wider areas with pedestrian, more pedestrian access. On your perimeter streets you do have bicycle lanes that go up towards, on both sides of this primary area. Here are just some street views, this is the perimeter street, which does show your bike lane and then your travel lane. This is also the street view on the other side of the perimeter street, with your bike lane. You do see some wider sidewalks in this area. As you are approaching the main... the main street and you are transitioning now from your bike lanes and you see your wider crosswalks. Your crosswalks are often marked in brick in this area just to help, for visual purposes where you have pedestrians crossing. This is just looking in the opposite direction on that same street and this is one of the... this is where you are coming into your main street, just looking in the opposite direction, you note there are some bicycle parking facilities that you are going to see on some of these corners. And this is kind of your street view from the main street, you will see the sidewalks are bricked... excuse me, the roads are bricked, the sidewalks are bricked, you do have barriers and some of this is to help keep your traffic slow. There is no designated bike areas through this portion, but you do have again your bicycle parking, the bikes are allowed on the streets in this case. And you are going to have a slower moving traffic, so your bikes aren't going to be in as much danger as you would on a higher speed limit road. This is just a different view looking... you can see that you have got some alleys that go through, they are more narrow, but they are alleys that are going to connect to the other streets throughout the neighborhood. Moving on to National Harbor, again you've got a primary block, you've got trails that are coming into this area, you've got your waterfront amenities and you also have sidewalks that are connecting to many of the adjacent developments. Again, your trails map that shows your connections to other areas throughout the vicinity. It's just a different view so you can kind of get an idea of the different scale, the size of the buildings in comparisons. Again, here is your main street, it has a center median, you have got park benches on the median and other barriers. And again, just a view of the center median, this is part of their open space as well, so this is a gathering spot for folks, so it is not necessarily a large green space, but it is an open space common area. And just a different view of that. Again, you kind of can tell a little bit of difference here, I did the intersection looking at two different directions, your sidewalks are a little more narrow on the picture on the left and then they widen out as you are getting down towards your restaurants and other properties that are going to have uses out front. And then lastly, just to note, on the perimeter street, you will see there is a sidewalk connection along that area this is connection to other trails and sidewalks in the

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vicinity. And last but not least is the Reston Town Center, again your Dulles Toll Road, Fairfax County Parkway, your main area with the arterial roads that go around the Village Center and your main street that goes down the center. Again, you will see the trails map in the vicinity, where you have many trails, other sidewalks, dedicated lanes or other what they call bicycle friendly roads that are coming into the area. Then again, you can... I like these oblique views, they show the difference in the size of the buildings. This particular one towards the front or the bottom of this screen, those are different types of multi-family housing residential areas. So, this is looking into that entrance, into your residential properties. And then as you are moving down towards the commercial area, you have a little bit different look of your streetscape and sidewalks there, and then it kind of changes as you are coming down and transitioning into your commercial areas. This is... there are no bike lanes in this particular area. And then... so this is their main common area... one of their main common areas where they've got actually a farmer's market and more of a plaza area that's still used as their open space, again no green area but it is a common gathering area. And just wanted to kind of point this out towards the far end of the project you've got a large parking garage, I think they've got two or three parking garages in the immediate vicinity. They have the parking garage, they have bike parking, you will see it over where the gentlemen are walking down the street, that's one of those... no that's not, sorry. In one of these they show your bike share, where you can come and use an app to rent a bicycle for an hour so you can get around the area. And so, just wanted to finish up with the Courthouse area, this is a portion taken from our bike and pedestrian plan, just kind of show some of the future improvements that are planned. The green with the red dash, you will see is really the East Coast Greenway Project, which is a trail that does run north and south, through the state. So, that's a proposed connection area, you will see some of the red trails down to the right, there's a proposed trail leading to the Civil War Park. So, there is a planned future connection or roadside improvements through most of this area. And just end it with this aerial view showing we do have sidewalks along Courthouse Road, either on one side or on both sides, if you are looking at Courthouse Road to the east. We've got sidewalks in the vicinity of the hospital, down in the lower portion of the screen and then this just has an overlay with some of the grid street that is proposed through the downtown area. So, I will finish with that. Brian just noted here the next steps would be authorizing the public hearing for the comp plan amendment, the Zoning text amendment, which has a deadline, currently February 12th, the Board is reviewing the requested extension at their meeting on December 15th. And as we mentioned before, the public hearing on the follow up rezoning reclassification would be... could run concurrently, it doesn't have a February deadline but has the contractual obligation with Jarrell Properties for July 9th, which Jarrell Properties is the partner on the rezoning piece. So, it can be scheduled simultaneously, we are still gathering input from the other departments and the outside agents. So, we hope to have that in the next couple of weeks, we are having a meeting next week with most of the agents. So, I believe that is it. I will be happy to answer any questions.

Mr. Apicella: Thank you Kathy. Any comments or questions for staff?

Mr. Bain: I think I have a question of a sort. We've seen a lot of examples, we've seen the typical cross sections that Brian proposed to us, which of those are we going to see though, in Downtown Stafford? I can't, based on the plans that we've seen, I don't envision anything that has those nice wide areas down the middle of the road. Are we going to get those? Is that included in the plan? Are all those side streets going to have wide sidewalks or are they going to be more like Fredericksburg? What's the mix that's anticipated or proposed?

Ms. Baker: And I think that is what we are trying to figure out.

Mr. Bain: Yeah, well...

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Ms. Baker: And kind of what I was trying to point out in all of these other areas, is there is a mix. You've got your wider areas, you've got your wider sidewalks, you've got smaller sidewalks where it isn't as necessary. So, this is what we will be working on over the next month or if we get the extension. But, we are obviously looking for input and feedback...

Mr. Randall: Sure.

Ms. Baker: ... from the Commission.

Mr. English: Kathy, is there any way that... and I know I am probably asking a crazy question, but, can... is there anyway we can put that together on paper to let us look? Say better than what we've got as far as what we think we want to see? I guess a model, a model on a piece of paper, a couple of models of what we want to look like? Is that possible or is that... we've still got... we are still working from this point before you can do something like that?

Ms. Baker: Well, we...

Mr. Cummings: If I could interject. I think and I mentioned it a little bit earlier and I think the last time we met during the work session, we need a plan. Alright, and I know that... and I think one could be done relatively (inaudible), but we need a comprehensive plan that looks at exactly how... taking all the elements that are currently in the comprehensive plan, some of the changes that we've talked about, some of the things that we've noted. And the question becomes what is the impediments to that? I know it probably financial, one, right. The cost associated with that. And if we could come up with a creative... that's what you would love, wouldn't you Kathy? To have a plan.

Ms. Baker: We love having plans to follow.

Mr. Cummings: Okay, okay.

Ms. Baker: Right now, we are using the existing plans that we have including that conceptual plan, and I don't mean to interrupt you, but...

Mr. Cummings: No, please.

Ms. Baker: Our... the small area plan that was done, that is in our comprehensive plan, which goes beyond just the downtown area and has those other quadrants and has the recommendations, and again each one is going to be developed differently. They are not to the detail that you would like...

Mr. Cummings: And all... the theme, not just the detail, but the theme of what types of things we would like to see integrated in that downtown. I saw in one of the renderings that you... or the pictures that you took, there is solar on one, there is no conversation about renewable energy. It's in the comprehensive plan, but it's not within one... on our shopping list of things that we want necessarily for Downtown Stafford. And I don't know that it has to be, it's just an example of types of things that we have to, I think, consider about how we want to reimagine the space. Particularly in the environment that we are in. And so, the question for me becomes how do we get to securing a plan and put effort around what it takes to get a plan. If it's finding dollars from each department, whether it is transportation, housing, wherever the money has to come from, right? That we look at aggregating that. And the other piece of it is, is a lot of the... and I love staff. I love what you guys do and I think you guys do an amazing job, and for me it's all about how can we get to the data around it? A lot of the data that we are talking about,

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with respect to transportation, and one of the issues I had with the Taco Bell. The last one of the applications, is that the impacts that are going to be felt from one application approval where there's a little bit of impact in traffic or potentially in a corridor, has... we can't ... we don't have the data about other pieces of the puzzle. And then when you contextualize that with drainage and other issues, it becomes a potential mess. And also, we potentially have a hodgepodge. We don't get what we want, potentially. And that to me is would be the greatest missed opportunity. So, I think the cost benefit of us taking a step back, whether... and the putting the focus on finding a capital, finding the will to see how we can develop a plan or what it would take, in a very short order. Because, I don't this it would take a whole lot for us to be able to identify those resources and as well integrate that with Downtown Stafford, Smart Cities piece of it, which is huge. And I think it could be a good community... and I had talked... I am a little bit, I am sandbagging just a little bit because I had talked with Jeff about this a while back. And I kind of ran away from him, so I apologize Jeff. That ability for us to collect data or use data driven models, right, to help us with the planning. And it was for community engagement, right, to get them involved in it. And so, I know that those models are out there, I know other cities and counties have used it on the west coast and in other places. There is some place, I think Saint Louis, Missouri, that is using that and using students to drive the engagement around it. So, I would like to see if we could have a conversation around what... how we can get a plan.

Ms. Baker: And I am going to defer to Jeff to talk about that. Jeff, you are still on the line, right?

Mr. Apicella: Actually, can I...

Mr. Cummings: Sorry Jeff.

Mr. Apicella: So, I think it would be helpful if we provided all the Commissioners a copy of the Small Area Plan for the Courthouse area. So, to just kind of springboard off of Mr. Cummings comments, having a plan is great. It's certainly a way to inform ourselves and the development community what we are looking for in a specific area. But that is only part of the issue. So, once we have a plan, like to do for the Courthouse area, how do we, how do we get to the reality of what we are trying to achieve? So, we have had a Small Area Plan for the Courthouse for a while, and I am... and maybe this is a bad example. Mr. Randall kind of mentioned this last time. How do we, how do we (inaudible) to steer clear of sub-optimizing areas that we targeted for specific uses that don't come to fruition and something else pops in its place. And this may be a bad example, and I am sorry to mention it. So, going back to the projects that we look at today for the area across the street from the hospital, I believe we were hoping for more medical type projects across the street, but we got a Taco Bell and a Seven-11. And I am not saying those are bad things, but they have replaced what, I think, we were hoping for there. How do we, how do we get to what we want in the Downtown Stafford area and not get what might not be optimal there? So, I don't know if that's (inaudible) thought, I hope it is. I think plans are great but we still have the problem, this plan has been in place for a long time, things have certainly changed. I think smart cities is kind of new, I admit that probably wasn't included in the Small Area Plan, so we have to evolve and adapt. But, we still aren't getting a lot of interest in urban development and targeted growth at the levels that we were hoping for. Where... how do we bridge that gap?

Mr. Cummings: Steven before...

Mr. Apicella: I am sorry, I guess I probably should not say that.

Mr. Cummings: I know you are trying to get the expert in here, and I want him in here too. But, let me just sort of put some additional context on it for you. So, the GIS, the open data that is available to us

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could inform and put not only us but also the development community around where to go and what makes sense. And, so I think that having that kind of detailed plan and one that is, and I will say it's not even cutting edge anymore, it just is. And in a few... so, I think that one that has geospatially maps, everything and has 3D renditions of what the space can and should look like. Or what we imagine it to be, will give everybody good information and it's not just pretty pictures. It's data, it's all about what if you move this and you have this impact, data impact here or transportation data impact here in real time you can understand what the impact is going to be long term. So, you can do the simulations and modeling to an nth degree in order to really design and know what the potential impacts are going to be. And so, to your point Steven, I think, and again it's how do we start the process and I think what... how do we get there is by the engagement. The engagement with the developers and engagement with the community and giving them these tools. So, and Jeff I will beg out and let you... let the real... do the heavy lifting.

Mr. Harvey: Thank you Commissioner Cummings and Mr. Chairman. Just backing up a little bit with regard to the typical street sections. The generalized development plan does have street sections identified for the County owned property. Staff can take that and apply it to the new concept plan for the Downtown area and draw it out on a grid to inform the Commission as to typical types of streets we are going to have in certain locations. So, you can see going back to the questions that were raised, what kind of streets are we going to have in this area. So, we can work on that and come back to you in the meeting in January. It may be that the color code the street types so you can reference them on the map and you can get a better visualization on that. Part of the effort for Downtown Stafford and working with JPI is to help create a market for the urban style development. That has been one of the issues that staff has had working with developers, is that our region is mainly a suburban region and that is mainly the type of development that they do. So, we are anxious to work with developers and/or attract developers that looking to do more urban style projects. So, that is going to be our challenge for the short term and also the long term is focusing more urban style development in our targeted growth areas. To Commissioner Cummings' point, we have a lot more data available to us, we may not be as elaborate right now as far as what he was describing, where we can have a 3D model and pick up a piece and move it over to one section or another and get all the outputs. But, right now technology is getting us closer to that point and we are going to continue to try to get more information from the community as we move forward with our planning. So, I know I just talked about it in general terms, but I think that is kind of still where we are at. Because we are dealing with the Comprehensive Plan, which in some regards is specific but, in many regards, it still has to be general and flexible.

Mr. Cummings: Can I ask a question? Is it possible to find out how much it would cost to develop a plan for the, not just Downtown Stafford area, but also the Targeted Growth Area? That sort of encompasses or abuts it. And is that something that the Planning Commission staff would like, would want?

Mr. Harvey: Well, Commissioner Cummings, certainly staff can look into that and see if we can solicit some input from individual companies that do that kind of land planning. But we really won't know the answer until we put out an RFP and have some specifics for them to respond to.

Mr. Randall: Mr. Chairman, I have a couple questions. Mr. Harvey, how much did the Board pay for their consultants to put together Downtown Stafford as we know it today?

Mr. Harvey: Commissioner Randall, I don't know the answer to that question, but we can get that for the Commission. My recollection is when the County had the grant for the Courthouse Area Plan the

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consulting services were around \$120,000. And I don't know if Mr. Zuraf or Ms. Baker remembers more specific detail, but that is my recollection from...

Mr. Randall: Yeah, Mr. Zuraf is on his way to the...

Mr. Zuraf: Yes, that's what I recall. It was a grant through VDOT and yes, I think the County had to pay 20%, I think it was an 80% match.

Mr. Randall: So, the State was 80 and we paid 20?

Mr. Zuraf: Yes.

Mr. Randall: Of the 120 that you know of?

Mr. Zuraf: Right.

Mr. Randall: Right, do you know if there is any grant money available for us to be able to take advantage of that currently?

Mr. Zuraf: I am not certain right now, we can do some checking on that.

Mr. Randall: Okay, and so even if we did an RFP we probably wouldn't meet, even if we had the days deadline, we probably wouldn't meet that in order to provide something to the Board that they are looking for, is that correct?

Mr. Zuraf: Is you are creating a whole new plan?

Mr. Randall: Yeah.

Mr. Zuraf: No, it's a lengthy process and...

Mr. Randall: How long do we... how long was the... how long did the contractor who was working for the Board, how long did we use their services? Do you remember?

Mr. Zuraf: Yeah, Kathy thinks and I think so too, probably about a year.

Mr. Randall: About a year.

Mr. Zuraf: Yeah.

Mr. Randall: Okay. So, okay, moving on then.

Mr. Cummings: Let me ask a question, because again if we could get this donated or somehow find the funds for it and it could be done, let's say, in 30 days and the cost that you talked about for, say the 28 acres, I called it the 28 acres, is about a penny a square foot. Okay, to develop a \$120,000 plan. At the cost of \$120,000. And I think what we are talking about is important enough, right, for us to at least take the time to explore it. And explore the options and I am willing to do it. So, if I can work with staff to try to see and explore the options, I would like to come back with a committee or help you guys develop a path to getting a plan in short order, say like 30 days.

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Mr. Apicella: Mike and Jeff, I just want to clarify, again we are talking about two different things, although they are connected. Again, there is a Courthouse Area... a small plan for the Courthouse area that was done years ago. And then, as a next evolution there was a Downtown Stafford effort, where Stafford worked with Stantec on a specific piece of the Courthouse area. Am I correct?

Mr. Harvey: Yes, that's correct.

Mr. Apicella: So, again we already have two building blocks already in place today. I am not... I hear what you are saying Mr. Cummings, I am just not sure what else....

Mr. Cummings: It's...

Mr. Apicella: We have got two... we have a couple of things we are supposed to be doing here.

Mr. Cummings: Yeah, yeah, yeah. No, no and I understand. What I...

Mr. Apicella: I just want to clarify... just give me a second Mr. Cummings. We've got a policy, okay, which is the Urban Development Ordinance, we've got the comp plan changes, again that are... and this urban development policies are very board, they apply across the county to all the Targeted Growth Areas. So, that is the policy piece. We've got a Comp Plan piece that's very specific and only applies to the Courthouse Area and it springboards off of the most recent work to create Downtown Stafford, right? Then the last piece that we have is the rezoning, that again is very specific to a piece of Downtown Stafford. So, what you are talking about, I think, has much broader connotations and I just... staff has a lot on their plate, I am not sure how much we could do, just in terms of contracting, I am not even sure you could get a contract out, written and out in 60 days with a product provided at the end of that 60 day period. So, I think we just have to be realistic about what we can tackle in the short term and what we do in the long term. And that long-term piece is the Comp Plan update, which I think will start sometime in 2021. So, I think we've just got to... my personal view is, other folks might have a different view, we have got to focus our efforts on what we have to deal with in the short term and then readjust and tackle what we can do in the long term, when we have the opportunity to do it.

Mr. Cummings: And Steven, I agree with it. Ordinance is moving forward, I think that is going to move forward because the density and everything else is set in stone. I think we are comfortable with that. I think for me it's the coordination and the integration of all those elements that you talk about and then the other pieces that we have tried to deal with and expanding out from the Downtown Stafford area. And that is the unknown, and for me... so, I would just like to put it on the table and for us to be able to start exploring that data driven modeling and plan and start to work with staff to see how we can integrate it down the road. I think you are absolutely right, it's different but it's connected and I just want to make sure that I am part of helping... we are part of trying to connect it all, the policy and the Comp Plan piece. So, I think that the pieces that we have with the Ordinance and the Comp Plan, I would like to see how far we can get. The Ordinance can move forward, but I think we have an opportunity to really inform the decisions that we are making with the policy and then the Comp Plan moving forward. So, if you would allow me, I would like to be able to at least work with staff on it.

Mr. Apicella: Okay, other folks want to chime in?

Mr. Randall: Mr. Chairman, Kathy or Brian, it doesn't really matter. Based on all of the examples that you gave to us, if you had your druthers today, and I ... yes, I am going to put you on the spot. What would you like Downtown Stafford to look like of the five or six different things that you showed us, if

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you had your druthers and you were writing the policy today, what would it look like? Which one of those is closest to your interpretation of what Downtown Stafford should be? Oh, yeah, yeah, yeah, this is the you go first, no you go first... right.

Inaudible from the audience.

Mr. Randall: Yes, absolutely.

Ms. Baker: Well, I think they all have certain elements that can be used and I think they all look similar to what we are envisioning. We are having a mix, we are having a...

Mr. Randall: Sure.

Ms. Baker: ... variety of heights...

Mr. Randall: Okay so let me be more specific then. Would you be more inclined to have a central median where people... where there would be park benches and 15 or 20 feet of space where we could put something in there, people could sit, people could talk, people could meet or is it a traffic to traffic with no median?

Ms. Baker: I think it's a variety of those streets. I think...

Mr. Randall: If I was talking downtown, if I was talking a 400 yard downtown road, just one road, what would that look like? Would it be bricked like it is in Shirlington where the traffic is down, everybody knows, because we go from asphalt to brick, you know the sidewalks are brick, everything is brick or would it be, you know 45 miles an hour, no median, you know Katy, bar the door?

Ms. Baker: This is a collaborative effort, so we are looking for you all to....

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

Ms. Baker: ... to give us feedback.

Mr. Randall: ... what you want from us, I am interested in hearing your opinion so I can give you an informed opinion back as to what I think it should be.

Mr. Bain: Yeah, but...

Ms. Baker: Brian, your turn.

Mr. Bain: ... the crux of this though is, does this Ordinance allow the County to dictate any of that? It would be up to the developer, if he can get it rezoned to UD, he gets to pick.

Mr. Randall: Twenty-nine acres of that is County land.

Mr. Bain: Well, so what? Then the County gets to pick, but the other remaining portions, it's going to be up to the developer.

Mr. Randall: Go back to your slide show.

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Mr. Harvey: Mr. Chairman and Commissioner Randall, if I can chime in for a second.

Mr. Randall: Oh, don't take Brian off the spot, yes go-ahead Jeff.

Mr. Harvey: Some of the images that you saw, with the brick streets, are probably more than likely private streets. In the case of what we are looking for Downtown Stafford, we are looking at public streets. In our discussions with VDOT, to this point would... is that VDOT would maintain the street from curb to curb, and the County would maintain... or the property owner would maintain from the curb through the sidewalk to the building. So, we would not be able to adopt some of those standards. VDOT would have to look closely on whether they would allow certain medians and have to enter into agreements with the County and/or other property owners in the area whether it's a community development authority or whatnot to allow features in their medians. Because VDOT's maintenance of mowing twice a year is not going to work for a Downtown Stafford look.

Mr. Randall: I agree Jeff. We just have some examples, Reston is in Virginia, Shirlington is in Virginia, all of those have downtown areas where the median... there is no median, that is true, but they do have brick roads, they do have brick sidewalks. So, I was just using those as an example. And so, go ahead Brian.

Mr. English: Yeah, go ahead.

Mr. Apicella: I... you know I think we also have to be a bit realistic too, I mean Reston and Shirlington and some of the other examples, you have to look at the density that would allow you to do these kinds of things, right? So, if I'm a... I have got to believe that a brick street is going to cost a lot of money, you can see in that picture on the left hand side, the size of the buildings. So, in order to get this kind of thing you are going to have to expediently increase the amount of density. So, I think we have to look at what is realistic for Stafford as compared to what's

Mr. Randall: I am in complete agreement when we come down to the final decision that we need to be more realistic. My comment and my concern and my emphasis is to say where... what would we like to have, where... what do we need to do to get there, what are the impediments to getting there, and if the impediment can't be overcome, such as it's going to cost us \$50 extra per square foot, okay, that's an impediment we can't overcome so we need to back down to the next level, right? We only get one shot at this, as I said at the last meeting. There is only one shot to do this right, for the next 50 years. We are not going to tear up downtown and try to do it again. So, if we look at something that says I want this to be a walking path, I want people to walk through there, I want people to stay there, you know, then we need to put something in there that really works. Whether that is the National Mall example, whether that's an upgraded Shirlington example, where I've got 20 feet from the road to a building and 8 of those feet are allowed to be used for outdoor dining, you know. Then I have still got a 12 foot sidewalk, I've got 8 foot of outdoor dining space, you know there is no downtown in my opinion without having some outdoor dining, there just isn't. Right, wherever you go, a good downtown always has outdoor dining, whether it's Downtown Fredericksburg, whether it's Shirlington, whether it's the National Mall, there is always downtown dining, and that has to be included in whatever plan we do, right? Why do they have a bid median? Is because the speed limit through there is 20 miles an hour, 25 tops through there because it's a downtown and there is going to be people, right? That's how we have to look at this. You know, if we have control as a county, because that all the County land, we are not looking at downtown, this part of downtown being anywhere other than downtown than County owned land, then we have to find a way to say here's our drawing, here's our GDP, here's our rendition of what it's going to look like. Okay, developers come in because you are going to build it just like this.

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And if you don't want to build it just like this, then we will get somebody else. But that is how I think we have to move this forward. You know, I can get... I can take what you've got and say okay this has got... it can't be 8 feet, it's got to be 12 feet, this has got to be 6 feet, right, it's got to be 8, okay. I can do all that, that's easy.

Mr. Apicella: Mr. Randall, if I, again I am sorry to keep jumping in. We already have two building blocks towards Downtown Stafford, already. That's Burns Corner and I will call it the County/JPI piece. My question would be, how do we get for the area that has not yet been targeted, or where there is not yet proposals, again how do we get something close to what we want and that is viable...

Mr. Randall: Yes, I totally agree Steven. That is definitely a... that's definitely the absolute first question we need to determine, once we... for those things that are outside our control, that are not County owned land. How do we incentivize doing what we want them to do for the 85 acres that aren't included? Totally agree.

Mr. Geouge: Yeah, and I think if the County is successful in implementing this and getting it started as Downtown Stafford, that's really going to incentivize those adjacent properties to come on board...

Mr. Randall: Yes.

Mr. Geouge: ... because they are going to then be looking at, okay I can potentially get a much higher density out of this property that I...

Mr. Randall: Sure, and by the way, I've got 29 acres of Downtown Stafford that's County owned and they have done it right. And the selling point is, you can walk, you can bike, you take your family down there, it's an enjoyable place to be every week. Rather than, I've been down there once, I don't ever want to go again. It's just a pain because nothing works, right? Downtown Stafford... Downtown Fredericksburg is great, I love it but I don't want to be walking through there every day, because it's a pain sometimes. Because there is no room, outside dining, nothing that makes it quaint, cozy and I want to take my family to every day. And that is what I think we should focus on. So, yes Steven, I agree that we need to find a way to make sure that we take care of the 85 acres outside the County owned land. My specific focus was on the County owned land, because if you look at the outline everything we are talking about downtowns, all are within the County's purview, because we own that land, right? And I think it should be built... if we have to change the, change the drawings, then let's change the drawings. You know, you asked before what is it that you are looking for from us? If you are looking for me, maybe you take the median out, but you need to have 20 feet at least from the building to the road, right? So that you have plenty of room to walk, you have plenty of downtown space to have outdoor dining, you know. If you want to have a 5-foot median and you want to have it brick so that people... for the aesthetics, great. Right? But you have got to have something there that people are willing to come to, sit outside for 2 hours, people watch and those types of things. Thank you.

Mr. Apicella: And just to piggy back off a comment that you said at the last meeting, the work session, how do we get people to do something that may not necessarily be in their economic interest. And you used the example, I think, of a stage, or a concert area, or you know, a park. What... why would they want to do that? What's in it for them, because it takes away from the other density and economic interest that they have doing something else that is to their benefit. Especially now that, again, the County's property has already been... what's going to go on the County's property has already been identified. So, we lost that opportunity to put that stage there, somebody else has to do it and why would they do it? What do they get for doing it?

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Mr. Geouge: One thing I will mention, I know it's not a stage or anything like that, but as part of the plan for Downtown Stafford, part of the County owned property, there is a cultural center envisioned as part of that.

Mr. Apicella: What does that mean, Brian?

Mr. Geouge: So, it could be a museum, for example. I know that is something that has been talked about a lot. It could have other community functions like a library, for... the Rockville example, they have a library as a central kind of component to their downtown area.

Mr. Cummings: So, Steven, can you wrap this up for me, because I am kind of... I agree with everything every one said. I think the question for me is how. And for me the how is by developing and committing to trying to develop a plan. And short of that, I think we end up at the... ask the developers that are coming in, who I think are willing to come in and partner with us. And, maybe shoulder a little bit of the load, maybe financially, maybe not. But I think we stand a better chance of getting what we want and the other piece of this is community engagement, right? We have an opportunity to leverage that same plan or the tools to be able to engage the community. Because I hear constantly, that we're... we want to have walkable spaces, we want to have... maintain the rural character or Stafford, but that is not any of the places that are up on... you know, the images that we have seen. And I think we could come up with something that is uniquely Stafford, that also captures the fact that we are a new city or a new locality and embracing the technology. And with veterans and everything else that we have going for us. But, my fear is that we are not going to get there and we are going to end up, and I don't want to besmudge the other development that is near the Washington Boulevard, but we could end of with more and more of that. And to be hones with you, that is not what I am here for, that is not why I signed up. And so, you know, if it's the Ordinance I think is great, I think we are headed in the right direction. I think the policy and the Comp Plan edits they we are making are consistent with some tweaks for sustainability and resilience. I am a happy camper, but I think we need to figure out a path to a plan and Steven I am hoping that you get me there.

Mr. Apicella: I wish. So, I think, we have had a lot of discussion. We have spent a whole meeting on this, we spent, I don't know it seems like an hour thus far on Downtown Stafford. Again, I think there's two pieces, I think we have got to deal with what's in the immediate term, which is very confined, like I said it's the JPI/County rezoning, the policy and the Comp Plan. Next year we need to focus a lot of attention and energy as part of the Comp Plan update on Targeted Growth Areas and Urban Development. And how do we get there from here? And I think it requires engagement with our Economic Development folks and the development community. So, at the end of the day they are the ones who are going to drive this, not us. They are the ones who are going to be building, not us. We can sit here on the (inaudible) and hoping that we are going to get what we want, but they are the ones who are going to make it happen. We have to provide the policy and process to help them get there, but in a way that meets, hopefully, what we are trying to (inaudible) at the end of the day. So, I am probably not getting you where you want Dexter, I just think we probably need to move on, it's already 8:30. I think come prepared... first of all provide any comments or feedback back to staff, if you haven't already, based on what you have seen thus far, including the catalogue of issues that are in today's staff report. Anything else that you see in the policy and/or the Comp Plan amendment that you think need to be revisited for the meeting in January and hope the Board will give us more time. And staff will let us know after Tuesday if that happened, if not we are going to be on the fast track trying to get them something by the deadline.

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Mr. Cummings: But I would like to make a motion though, Steven. I would like us to at least... I make a motion for the Planning Commission and Planning Commission staff to explore a... developing a plan that integrates the Downtown Stafford and the Targeted Growth Areas. And that looks at the consequences of the changes. And I don't think that gets in the way, so that's the motion I would like to make.

Mr. Apicella: Any thoughts or comments from anybody else?

Mr. McPherson: I am not sure what you mean.

Mr. Cummings: I am trying to...

Mr. Apicella: Is there a second?

Mr. Cummings: I am making a motion that the Commission explore, allow me to work with staff, to develop a path towards the developing a plan for the Downtown area and Targeted Growth Areas.

Mr. Apicella: So...

Mr. McPherson: All TGAs?

Mr. Cummings: The one that abuts the Downtown Stafford area.

Mr. McPherson: Oh, so that TGA?

Mr. Cummings: We can start there, because I see it as a phased approach. I think we are doing ourselves a dis-service otherwise. Countywide.

Mr. Randall: So, are you suggesting that we wait on taking action on this plan or Downtown Stafford until that's all done?

Mr. Cummings: Not at all.

Mr. Randall: Okay, so it's not in lieu of, it's in conjunction with.

Mr. Cummings: Oh, absolutely.

Mr. Randall: Okay, because that effort could probably take a fairly long time.

Mr. Cummings: No, no. Again, we haven't explored, right? It's conjecture and we know what the Downtown Stafford plan took, but, I think what we are looking at is getting data and then developing an overlay or a plan that gives us some ideas about what Stafford could look like.

Mr. Randall: Right, but that... right. But then you want a sub-committee to make sure that it says what it needs to say, then you would bring it to the full Commission, then it would have a public hearing on it and then it would go to the Board, and that's a six month process.

Mr. Cummings: What my motion is about exploring the path towards getting a plan to cost, all right? And what that option looks like.

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Mr. McPherson: I don't know if we need a motion for that.

Mr. Cummings: I was hoping not. I asked Steven...

Mr. Bain: I am still not sure...

Mr. Cummings: ... to get me there and allow me to work with staff to develop a path towards that.

Mr. Bain: I am still not sure what the goal of the motion is. Is it to develop a plan, like that, that we have for Downtown Stafford, for the remainder of the TGAs? Or is it just to... well I can't imagine what else it would be.

Mr. McPherson: Master plan is what we used last time.

Mr. Bain: Yeah.

Mr. Apicella: I...

Inaudible, several people speaking at one time.

Mr. Bain: If it's to this level of detail, think about how much money went in to get that

Mr. Cummings: One hundred twenty thousand dollars.

Mr. Bain: For less than 100 acres.

Mr. Cummings: One hundred twenty thousand.

Mr. Bain: And you are now talking about a Targeted Growth Area that represents 25% of the County.

Mr. Cummings: So, let me say this. I am not guessing... I am not guessing when I say a penny per square foot. Alright, and a hundred and twenty thousand dollars will get us a plan, or could potentially get us a plan for the 28 acres. The geospatial type plan.

Mr. Bain: Which 28 acres?

Mr. Cummings: Now the questions becomes, the question becomes can we afford it?

Mr. Bain: We've got that.

Mr. Cummings: And is there... is that something that we want?

Mr. Baker: I just want to make a quick point...

Mr. Apicella: I need to clarify, the \$120,000 was for the Small Area Plan, Mike chime in. That was done years ago and I have no idea how much it costs to engage Stantec in the effort that they did to work on the... the smaller piece of the entire Downtown Stafford that is just associated with the County owned property and the, is it JPI property? That piece.

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Mr. Randall: Right.

Mr. Apicella: So, they are not mutually exclusive but the Small Area Plan and the Stantec effort, but I am not... when you are costing out what you think it's going to be, you are going back to the Small Area Plan, done years ago.

Mr. Cummings: No, no, no, that is not the number I used. I wasn't using their number, I was using a number of someone that developed a plan in Compton for the... and the cost that was quoted to me was one cent per square foot. And so, and it's a... it was a charitable effort. All right? And so, my... there are opportunities for us to explore it and that is all I am asking for. And I am not sure why the reticence to having me explore it with staff. Because in the end, if the information doesn't come back and if we can't afford it, we are not any worse off. But I think it's worth giving the consequence and it's not as Randall indicated, it's not...

Mr. Randall: It's Bart.

Mr. Cummings: ... it's not inconsistent and it's not... it doesn't impede what we are already doing with the Ordinance and the policy.

Mr. Randall: No, I guess the question is... I would say the efforts to work with staff would be great. The issue is whether or not staff has the bandwidth over the next two months, with everything going on, to engage, to break somebody off for 35 – 40 hours total to engage in something like this. It's a well worth effort, don't get me wrong. I am looking though at staff over the holidays with the smart growth, with the things that we are working on, whether or not they have the bandwidth to be able to entertain that. So, I will leave that to Jeff. I don't have any problems with you doing it. I totally support looking into those types of things, it would be a matter of whether staff, at this point in time, has the bandwidth to engage in that.

Mr. Apicella: And that is where I am at. I just think it's more... it would be time better spent and staff better spent as part of the Comp Plan update. Because I think it's directly associated with that. That is a much bigger effort that's going to take a year and a half to two years, and maybe that does not meet the timeframe, Mr. Cummings, that you are looking at. But that is the leg work that goes into doing something that you are talking about, in my opinion, having been doing this for a long time.

Ms. Baker: And the Board...

Mr. Apicella: It's not something you can do in 30 days or 60 days.

Mr. Cummings: Yes.

Mr. Apicella: It takes a lot of time and effort from staff that are working on a lot of different things and going in a lot of different directions. And in the absence of having money, in my opinion, to get some help from outside sources to help with what you are proposing, I just don't think we are there yet. I think it... unfortunately it's the cart, in my opinion, the cart before the horse.

Ms. Baker: And I just want to state that the Board is having a work session on our next Comprehensive Plan update, the full update on January 5th, whichever their meeting is. So, we are going to be starting out that effort. As you recall, our last Comp Plan had these recommendations to develop these other Targeted Growth Areas and develop plans. So, we've had those in the works and there are other things

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that have taken precedent, that there hasn't been money to move forward with those efforts. So, that's a part that you all would be able to provide some input on, how much we want to get done in these Tartarated Growth Areas. And I think just with the Downtown Area initiative, that is going to kick off a lot of interest in these TGAs. So, just the other point I wanted to make, you mentioned Economic Development getting them onboard. They've been involved with Downtown Stafford for this whole last two years plus effort that has been going on. They have been engaging with these developers that are coming... that are going to have the interest in coming here. So, that is already in the works, they have been working with the whole smart testbed project on, you know, you all have seen that project. So, they are engaged, they are in tune with the developers. I just want to leave it at that.

Mr. Randall: Steven, what do we need to do with this then? Do we need to do anything until we hear back? Do we need... is the plan to wait until the next meeting... the first meeting in January to see what the Board has done regarding the time extension.

Mr. Apicella: Yes, and I am going reiterate what I said just a few minutes ago, which is feel free to send any comments, suggestions or input to staff on what you have seen thus far, until further informed that first meeting in January. Again, not knowing whether or not we are going to get additional time. So, with that said, I would really like to move forward, it's already 8:45 and we have been at this for over 4 hours. So, unless there is anything else that somebody feels strongly about, I am just going to move on to the next item. Okay, there's no New Business. Mr. Harvey Planning Director's report.

NEW BUSINESS

NONE

PLANNING DIRECTOR'S REPORT

Mr. Harvey: Thank you Mr. Chairman, it is hard to believe that this is our last Planning Commission for 2020. In some regards it's definitely glad it's over because 2020 has been a difficult year. Little did we know when we started in January that we would be in a situation where we can only have limited number of people in the Board Chambers. Some of us are participating remotely and I really want to thank the Planning Commisison for your understanding and willing to work with the staff to help make these meetings possible. I also want to thank the staff, because I know we had to work hard and adjust to things to try to accommodate the new situation and make things work. And early on it was definitely trial and error and I think overall it has been able to be successful. And also, I wanted to give a shout out to Advanced Media Solutions, because they have come to the plate every time we have said, we've got a meeting we want to have and they have been able to accommodate us. So, again thank you everybody and hope you have a great holiday.

Mr. McPherson: You too.

Mr. Apicella: Thank you Mr. Harvey.

Mr. Cummings: Thank you Jeff.

Mr. Apicella: County Attorney's Report

COUNTY ATTORNEY'S REPORT

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Ms. Lucian: I don't think I can top that. I have no report, thank you.

Mr. Apicella: Okay, Committee Reports, nothing on Healthy Growth, nothing new. Land Conservations Subcommittee, we are having a meeting tomorrow at 3:00 p.m. in the ABC Conference Room. I feel like we are making progress and I want to thank Kathy and Jeff for their efforts thus far. Cluster Ordinance Subcommittee, Mr. Randall do you have anything to offer up on that?

COMMITTEE REPORTS

12. Healthy Growth Subcommittee
Next Meeting – TBD
13. Land Conservation Subcommittee
Next Meeting – December 10, 2020 @ 3:00 PM, ABC Conference Room
14. Cluster Ordinance Subcommittee
*Next Meeting – December 8, 2020 @ 3:30 PM, Activities Room
11/17/20 Meeting Summary*

Mr. Randall: Just quickly, we had a meeting yesterday. I appreciate Mr. Bain and Mr. McPherson's help with that. We have pretty much finalized our work. We are going to have one more meeting the first week in January to finalize the actual document and then we should be ready to present the final document to the overall Commission our first meeting in January. Thank you.

CHAIRMAN'S REPORT

Mr. Apicella: Thank you Mr. Randall. Chairman's Report, I have said this every meeting since the pandemic and since I have been working remotely and I appreciate everybody's indulgence that allows me to continue to do this. Even though just about everybody seems to be willing to go into the Board Chambers other than myself. But, pursuant to our by-laws, I am hereby authorizing the Vice Chairman to sign any documents in my absence. It is hard for me to top what Jeff said, so I am not even going to try. I agree with all his comments. But again, I want to thank everyone for allowing me to serve as Chairman in spite of me in that capacity, I think we have had a very productive year and also despite the pandemic, we have had several Subcommittees working on several different issues and I think we have made a great deal of progress on all the things that have been on our plate. As always and having done this for a while, I have to keep saying it, because it's the truth. We have the best Planning Director and the best planning staff in the Commonwealth of Virginia. I appreciate all that they do and for putting up with me for this past year. I want to wish everyone a safe and happy holiday and again thank everybody for their efforts. Feel free if anyone else has anything they want to say.

Mr. Bain: Steve, if I could just make one comment. I don't know but it looks to me that working remotely has accelerated the grey hair that you are sporting, so maybe you better get back in these chambers quick.

Mr. Apicella: Unfortunately, there is a little bit less of the hair, as well. So, thanks Mr. Bain. Anybody else have any holiday wishes they want to throw out there, before we move on to other business? Okay, so there is some TEC information for Garrisonville. Mr. Randall, I hope you have gotten that or will get it soon. The last item on the agenda is the approval of the minutes for October 14, 2020. Is there a motion to approve those minutes?

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OTHER BUSINESS

15. New TRC Submissions
* Patriots Crossing Multi-Tenant Building No. 2 – Garrisonville Election District

APPROVAL OF MINUTES

16. October 14, 2020

Mr. McPherson: So moved.

Ms. Barnes: Second.

Mr. Apicella: Okay, is there a second? Okay, I am just going to do a quick voice vote. All those in favor of approving the minutes as written say aye.

Mr. Bain: Aye.

Ms. Barnes: Aye.

Mr. Cummings: Aye.

Mr. Apicella: Aye.

Mr. English: Aye.

Mr. McPherson: Aye.

Mr. Randall: Aye.

Mr. Apicella: All opposed? Okay, motion carries. With no further business before the Commission, I call this last meeting for the Planning Commission for 2020 adjourned. Thank you.

ADJOURNMENT

With no further business to discuss, the meeting was adjourned at 8:49 PM.