

STAFFORD COUNTY PLANNING COMMISSION
March 24, 2021

The meeting of the Stafford County Planning Commission of Wednesday, March 24, 2021, was called to order at 4:30 PM by Chairman Steven Apicella, in the Board of Supervisors Chambers of the George L. Gordon, Jr., Government Center and at remote locations throughout the County.

Mr. Apicella: I call the meeting to order, before we get started I would request that myself and perhaps Mr. Cummings if he is online, be authorized to participate today from a remote location here in Stafford, and would ask my follow Commissioners to approve our electronic participation.

Mr. McPherson: So moved

Ms. Barnes: Second.

Mr. Apicella: Thank you. Just a quick voice vote. All those in favor say aye.

All Commissioners: Aye.

Mr. Apicella: Opposed? Motion carries. Thank you everybody. Just two more quick points to make. Voting on motions will be conducted by voice votes, and if we have any technical issues, Mr. Randall will take over as Chairman. Tonight's invocation will be provided by Mr. Randall and the Pledge of Allegiance by Mr. McPherson.

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

MEMBERS ABSENT: None

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

DECLARATIONS OF DISQUALIFICATION

Mr. Apicella: Are there any declarations of disqualification on any agenda item? I see none, are there any changes to the agenda? Okay, we will move on to the public presentations portion of today's meeting. The public may have up the three minutes to comment on any matter, except the four public hearings on today's agenda. There will be a separate comment period for each of those items. Before starting your comments, please state you name and address. The clock starts when the light is green, yellow means there is one minute left and red means you need to wrap up your comments. So, if there is anyone in chambers who would like to opt for public comments at this time, please come forward now. Alright, seeing nobody I am going to close the public presentations portion of the meeting. Mr. Harvey, I believe we have a speaker tonight.

PUBLIC PRESENTATIONS

Mr. Harvey: Mr. Chairman, I am not aware of any public that is interested in speaking at this point.

Mr. Apicella: I thought we had a County Transportation Construction Project update.

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Mr. Harvey: I apologize Mr. Chairman, that had to be cancelled. The staff member had a conflict and could not make it. So, we'll need to reschedule.

Mr. Apicella: Okay, that's fine. Thank you. Alright, moving on to item number 1, reclassification of Tree Haven Rezoning.

PUBLIC HEARINGS

1. 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 1 single-family dwelling. The Property is located at the southwest intersection of Mountain View Road and Tree Haven Lane, within the Rock Hill Election District. **(Time Limit: March 24, 2021) (History: November 18, 2020 Public Hearing Continued to February 10, 2021) (Public Hearing Continued to February 24, 2021) (Deferred to March 24, 2021)**

Mr. Harvey: Thank you Mr. Chairman, please recognize Brian Geouge for the presentation.

Mr. Apicella: Mr. Geouge.

Mr. Geouge: Good evening Mr. Chairman, members of the Commission. Brian Geouge with the Planning and Zoning Department. This is a continuation of a public hearing for a request for reclassification from B-1, Convenience Commercial Zoning District to A-2, Rural Residential Zoning District on parcel 18-78, consisting of 3.67 acres. The applicant and owner is Camelia Denes and this is in the Rock Hill District. Just real quickly, I am going to summarize the background of this project. The initial public hearing for this was held on November 18, 2020. There were several comments and concerns. Out of that hearing and the subsequent discussions and that included the extended notification to adjacent property owners, concerns about impacts on stormwater and natural resources expressed by some of the neighboring residents, as well as well and the impacts on the character of the area and finally mitigation of public facility impacts, was another concern. The Planning Commission requested that the applicant consider reducing the scope of the development from three homes to one home and also to reach out to neighbors to discuss the project. The applicant agreed to make changes to the application which necessitated a re-advertisement of the public hearing to this date. This property is located at the southwest intersection of Mountain View Road and Tree Haven Lane, shown here in the red outline. The Property was rezoned from A-1 to B-1 in 1978. There are no proffers associated with that rezoning. The B-1 was to allow the owner at the time to sell the property for commercial use. The property is surrounded on all sides by single-family detached homes on A-1 and A-2 zoned lots. Here is an aerial photograph of the site, it is currently undeveloped and primarily wooded. Apart from a small area at the northeast corner which was split from the remainder of the parcel as a result of right-of-way dedication for the realignment of Tree Haven Lane in 1989. Here is a street level view of the property showing the exiting stormwater management facility associated with Mountain View Road, in the foreground there. This parcel is located outside of the Urban Services Area. The Comprehensive Plan Future Land Use Map classifies the property as part of the "Agricultural/Rural" designation, that's shown as the green shading. The Comp Plan as recently amended discourages new residential development in these areas, but states that where residential development does occur it should have a maximum gross density of no more than one unit per six acres, with a minimum lot size of at least three acres. The proposal is not consistent with this density recommendations of the Comp Plan; however, we do note that the minimum lot size of three acres would be achieved, in this situation. It is staff's opinion that the proposed use better conforms with Comp Plan recommendations than the potential commercial development under the current B-1 zoning. This is the original development plan, submitted with the

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application. This is just shown for reference purposes only. Originally, as I stated, this was proposed or three units. It's currently only proposed for one unit; however, the GDP was not previously proffered nor is one proffered at this point. The GDP was not revised with the latest proposal for one home. We do expect that a good location of the home would probably be in the center of the property there, where there is a high point, excuse me, I guess I can't mark up. But at the center of the property is the high point generally. So, we don't know exactly where the that one home would be built, but it is reasonable that it could be constructed in that vicinity. The applicant is proposing a proffer which would require the styles and materials of the home to be in general conformance with the building elevations, shown here. The applicant has provided two different building elevations to provide a little more flexibility in that regard. The proposed designs meet many of the recommendation of the Neighborhood Design Standards Plan. As far as public facilities impacts, this property is within the attendance zones for Margaret Brent Elementary, Rodney E. Thompson Middle School, and Mountain View High School. It's estimated that the one additional home would generate one additional school aged child. We do note that there's existing capacity deficits for the middle and high school with estimated impacts of \$27,943. The proposed proffers do include monetary contributions for schools in the amount of \$15,000. For parks we look to the 2017 Parks Utilization Plan, which does not identify the need for additional park facilities in this area. There are no park related proffers proposed. For public safety, the property is within the first response area of the Garrisonville Fire and Rescue Station. There is an existing service level deficit at that station. We estimate the impact to be \$1,192. The applicant has proposed a contribution of \$1,000 for Fire and Rescue. Transportation, the one home would generate roughly ten trips per day, no TIA was required and we also note that the project would not be subject to transportation impact fees, since the property would not be subdivided. For general government and judicial there is a deficit for that and the County needs additional courthouse space and also for libraries, we do not identify the need for a new library until 2023; however, based on State Code, contributions to either of these public facility types would be considered unreasonable and no proffers are proposed. The proposed proffers limit development on this property to one home, require the cash contribution of \$1,000 for Fire and Rescue and \$15,000 for schools and require the design and style and materials of the home to be in general conformance with the designs submitted with the application. We note that the positives include that this proposal is consistent with the character and density of established residential uses in the vicinity and the building design conforms with the recommendations of the Comp Plan... excuse me, the NDS Plan. For negatives, we note that the proposal is not consistent with Comp Plan recommendations for density of one development unit per six acres and impacts to public schools and public safety are not fully mitigated. In conclusion again, we believe that this proposed A-2 zoning with one home is a better fit as far as compliance with the Comp Plan than the current B-1 zoning. We do acknowledge that the impact to public facilities have not been fully mitigated; however, staff believes that the proposed zoning change is the most reasonable alternative available at this time and we are recommending approval of the application. And with that I will be happy to take any questions.

Mr. Apicella: Thank you Mr. Geouge. Questions for staff?

Ms. Barnes: I have one quick question if you don't mind.

Mr. Apicella: Please.

Ms. Barnes: As far as the proffer that says that they're going to build one house, if anybody comes and buys that and wants to do a proffer amendment and build more houses than that, they have to go through this entire process again, correct?

Mr. Geouge: That's correct.

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Ms. Barnes: I just want to make that clear for everybody listening. Alright, thank you.

Mr. Bain: I had one question. If this had not been zoned B-2 and was, in fact, the agricultural/rural, this would all be by-right and they wouldn't even be here before us. Isn't that right? It's only because of the reclassification regardless of the size of the lot, because the lot had been created many years ago. Is that right?

Mr. Geouge: Right. Even if this was an A-1 lot currently, it could be developed with one home.

Mr. Bain: Right, okay.

Mr. Apicella: Right, any other questions?

Mr. Randall: Yeah, I have a quick question, sorry. Brian, do you know the size of the homes that are on that road, the other homes? Do you know the size of those respectively?

Mr. Geouge: I can't say for sure. I think I looked at one point and I want to say in the 1,500 to 2,000 square-foot range generally. They do vary somewhat.

Mr. Randall: Okay, so what you see here is comparable to what you see on the other homes that are built on that road?

Mr. Geouge: We feel it's pretty comparable, yeah.

Mr. Randall: Okay, thank you.

Mr. Apicella: So, just to ask the question then, do they have some flexibility to build a smaller or larger home on that parcel? What they've shown us is just an illustration or are they required to do something similar?

Mr. Geouge: I would say there's some flexibility in that regard. The proffer speaks to more so the styles and materials, and not necessarily the size. So, if they did come in with something smaller or larger, as long as they're generally meeting that design and the quality and materials and what not I think that would be permissible.

Mr. Apicella: Yeah, that would be my preference to give them some flexibility. Okay, thank you. With no further questions, the public hearing is still open. I'm sorry... does the applicant have anything that they would like to offer?

Mr. Randall: Mr. Chairman, I have a question for the applicant, when the time comes.

Mr. Denes: Good evening.

Mr. Randall: Good evening. Do you want to state your name and address?

Mr. Denes: John Denes, husband of Camelia Denes, owners of the property.

Mr. Randall: Okay. So, the question I have is when we were here last, we suggested that you go and talk to the neighbors. Were you able to do that and what was the response from the neighbors?

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Mr. Denes: No, we didn't go and talk to them. We feel that they ganged up on us with all this... we're trying to rezone the property from what it is to what we wanted to do. Based on the comments that I was reading what they sent out, everything that they said it was just made up stories. There is an issue with the flooding like they said, but it has nothing to do with the land that we're trying to rezone. It's... it's beyond third house from where we at. And all of them have cleared their lots. There is no trees on the lots. So, now they want us to... sorry... they want us to keep all the woods for their privacy. That is not fair. So, we felt that we should not... should not even approach them and talk to them or anything. So, we did not go.

Mr. Randall: Okay, so...

Mr. Apicella: Sir, is there anything else that you wanted to say before I ask if there are any more questions?

Mr. Denes: No.

Mr. Apicella: Okay. Any questions for the applicant?

Ms. Barnes: I've got a question...

Mr. Apicella: Alright, thank you sir.

Ms. Barnes: I've got a question, Steven, but I do know that there is a neighbor that is currently wandering the property looking for us for the public hearing. He's emailed me, so I'm not sure if we want to leave the public hearing open for a few minutes until he can find his way in the building or, um, I don't know.

Mr. Apicella: You know what? In all fairness to the applicant, the meeting was scheduled, it's the first item on the agenda. I think unless everybody thinks we should wait...

Ms. Barnes: I have no problem, no problem.

Mr. Apicella: ... I think we should just proceed forward.

Mr. Denes: Thank you.

Mr. Apicella: Okay, so, if the person happens to arrive in the next couple seconds, they have an opportunity to speak. The public hearing is still open. Again, as before...

Ms. Barnes: I just wanted to ask the applicant, I did actually talk to quite a few neighbors around it and, the application as it stands right now, I got nothing but positive feedback. So, maybe if you had talked to them you might have had a more pleasant...

Mr. Denes: It could be, but we just felt that it wasn't worth it.

Mr. Randall: Well... Mr. Chairman, if I could... that's fine. That's great that you decided to do that. But when we left here at the last meeting and we asked that you were going to go talk to the applicants... your neighbors, you heartily said yes...

Mr. Denes: That we will.

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Mr. Randall: ... you were going to do that. And so, I guess it was my impression that you were going to do that and provide feedback to us so that we would have an informed decision about what we wanted to do.

Mr. Denes: Yes.

Mr. Randall: And to come up and say, you know, we just arbitrarily said that our neighbors aren't important and we think they're lying and we think that, you know, they're not... it's not worth it to develop a relationship with them. You know, that sends to me the wrong message, you know. I understand, they were there first, they did what they wanted, they had things that are happening on their property. I understand all that. But a simple knock on the door, you know, a simple hey, here's what we're doing, you had some concerns, I'm here to talk about them, let's get this out I think would have gone a long way to developing a better relationship.

Mr. Denes: Yes. Sorry about that but we...

Mr. Randall: No...

Mr. Denes: ... we just didn't...

Mr. Randall: ... that's fine, it's over now.

Mr. Denes: ... we didn't see the comments until after the fact. The comments that they sent via email, we saw late.

Mr. Randall: No, no, I understand.

Mr. Denes: Maybe we should have, sorry about that but we didn't so.

Mr. Randall: Fair enough. Steven, I believe our person is here.

Mr. Apicella: Okay. So, again, the public hearing is still open. This is your comment to speak on this particular item. You have up to 3 minutes. When the green light shows up, that means you have 3 minutes; when it's yellow you have 1 minute left; red means you need to finish up your comments. So, for the person in the chambers, when that space is available for you to come and speak, please do so.

Mr. Jones: Okay, thank you. Hello, my name is Mike Jones. I'm the owner of one of the properties that adjoins the, I think the property in question. My main concern is my property alone is about 30 to 40 feet below the elevation of the property where they're looking to build. And the property that's above there is all trees. So, my back yard is already full of water; it has a creek running through it so my concern is if we start taking trees out of that upper area, the water then will then come down, start flooding my back yard even more, creek gets in erosion. I also have a drainfield at the back of my property which is uphill. So that's... I just wanted to express my concerns of developing that and then how that will impact my property. I don't know what that will do but, you know, if it... I don't know if the study has been done or anything but, that's just my concern. I just wanted to voice that. That's all I have, thank you.

Mr. Apicella: Alright, thank you sir. Is there anybody else in the chambers who'd like to speak on this item? Alright, seeing nobody else, I'm going to close the public hearing and bring it back to the Commission for further discussion and deliberation. Ms. Barnes, this is in your district. How would you like to proceed?

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Ms. Barnes: Just before I make a motion, I just want to say I do appreciate the applicant making the concession and working with the County and coming to a compromise. I think that one house on the property is reasonable. With that, I would like to make a motion to approve RC... let me get my glasses on... RC19152902.

Mr. McPherson: Second.

Mr. Apicella: Alright, thank you Ms. Barnes and Mr. McPherson. Anything further Ms. Barnes?

Ms. Barnes: I did want to address the flooding issue. I know that there's always a flooding issue when we come in and we clear trees. But, I think that this, putting one house on this property is a lot better fit and you're probably going to be a lot better off than if somebody was to come out and, you know, put a business on there and possibly clear the entire thing. There's, you know, hopefully ways of mitigating the stormwater runoff. It's always an issue. And anybody that does come and build that, there are standards that they have to follow. So, hopefully, you know, when somebody comes and builds that, that you will be able to work with them and not have a problem, I'm hoping. Thank you.

Mr. Apicella: Thank you Ms. Barnes. Mr. McPherson?

Mr. McPherson: Just one comment. I know there were comments about the proffer amounts. But given that this property back in the 70's was A-1, was rezoned to B-2 and never used, and now it's going back to Agricultural, A-2, it does not bother me that the proffers are a little bit lower than what would normally be recommended since they're kind of on top of what Commissioner Bain said. They're just going back to what would have been by-right.

Mr. Apicella: Alright, thank you Mr. McPherson. Anybody else?

Mr. Randall: Mr. Chairman, just for a minute. I'm probably going to support this. But you have a neighbor right behind you that has some concerns about his flooding for whatever the reason. And I think that at least a conversation, you know, to address if possible something that you don't know about that maybe could help, you know, or at least understand, have him understand that you're listening to him I think is a value, right. I'm concerned that we, in this day and age that we live in a bubble, right. You have neighbors, neighbors for maybe the next 20 years. And developing a relationship now will lend itself to working on these things later. It just frustrates me. Anyway, thank you.

Mr. Apicella: Thank you Mr. Randall. Anybody else? Alright, seeing nobody else, there's a motion to approve RC19152902, Reclassification of Tree Haven. Mr. Bain, how do you vote?

Mr. Bain: Aye.

Mr. Apicella: Ms. Barnes?

Ms. Barnes: Aye.

Mr. Apicella: Mr. Cummings?

Mr. Cummings: Aye.

Mr. Apicella: Mr. English?

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Mr. English: Yes.

Mr. Apicella: Mr. McPherson?

Mr. McPherson: Yes.

Mr. Apicella: Mr. Randall?

Mr. Randall: Yes.

Mr. Apicella: And Mr. Apicella votes aye. The motion carries unanimously. Thank you everybody. Alright, moving on to the next series of agenda items, Mr. Harvey, I think we're going to do those altogether, items 2, 3, and 4. I just want to preface by saying for items 2 and 3, that we basically reached our deadline and need to take some action on those. And with regard to item 4, I think we have a little bit of time. The staff report says July 2nd and we probably need to take some action on that probably the latest in May to give the Board sufficient time to have more than one date to noodle it. So, with that in mind, Mr. Harvey, please call up staff to be able to do their presentations.

2. Amendment to the Stafford County Comprehensive Plan - A proposal to amend the "Stafford County, Virginia, Comprehensive Plan 2016-2036," adopted on August 16, 2016, as last revised, pursuant to proposed Resolution R21-46. The amendment would revise Chapter 3.6, "Future Land Use Recommendations" and Chapter 3.7, "Land Use Map Growth Projections," in accordance with Virginia Code §15.2-2229, regarding the Courthouse Planning Area and Downtown Stafford. The amendment would adopt a new Land Use Concept Plan for the Courthouse Planning Area, including the Downtown area, and describe the proposed features of the new Land Use Concept Plan. The Land Use Concept Plan is focused on the area between Interstate 95 and Jefferson Davis Highway, south of Courthouse Road, and north of Hospital Center Boulevard, and incorporates the County-owned land on the north side of Courthouse Road. The description will identify the recommended public facilities and infrastructure to facilitate development of the downtown area, including improvements to the adjacent Government Center Campus. The Land Use Concept Plan estimates the amount of commercial and residential development that could occur assuming a maximum buildout of the plan. The amendment also recommends development densities, building heights, and other design standards that would promote successful development of the downtown area as a mixed-use pedestrian friendly community, conducive to supporting retail and entertainment venues, community uses, offices, and high density residential development. **(Time Limit: March 29, 2021)**

3. Amendment to the Zoning Ordinance - Proposed Ordinance O21-10 would amend the Zoning Ordinance, Stafford County Code Sec. 28-34, "Purpose of districts," Sec. 28-35, "Table of uses and standards," Sec 28-39, "Special regulations," Sec. 28-82, "Required buffers," Sec. 28-86, "Landscaping standards," and Sec. 28-102, "Off-street parking", regarding the UD, Urban Development Zoning District. The proposed Ordinance would eliminate the UD-1 subdistrict; amend density requirements in the UD-2 subdistrict; amend density and height requirements in the UD-3, UD-4 and UD-5 subdistricts; amend development standards for various building types; modify allowed uses; amend certain parking requirements, and allow the agent to modify parking requirements pursuant to acceptable written justification; modify standards for landscaping and buffering; adjust street standards to meet Virginia Department of Transportation and Stafford County requirements, and; amend certain text and graphics for organization and clarity. **(Time Limit: March 29, 2021)**

4. RC21153698; Reclassification – Stafford County Board of Supervisors, Courthouse Road Property
- A proposed zoning reclassification from the B-2, Urban Commercial Zoning District to the UD-5, Urban Development 5 Zoning District on Tax Map Parcel Nos. 30-43, 30-43A, 30-43B, 30-43C, 30-43D, 30-43E, 30-43F, 30-43G, 30-44, 30-45, and 30-46, consisting of approximately 16.11 acres; and from B-3, Office, to UD-5, Urban Development 5 on Tax Map Parcel Nos. 30-50 and 30-53, consisting of approximately 13.08 acres, (collectively the Property), to allow for the development of approximately 1,306,000 square feet of mixed use residential, office, retail, entertainment, and civic uses. The Property is located at the southwest intersection of Courthouse Road and Jefferson Davis Highway, within the Hartwood Election District. The Stafford County Board of Supervisors is the applicant for this project. **(Time Limit: July 2, 2021)**

Mr. Harvey: Thank you Mr. Chairman. So, as you indicated, we'll have a combined presentation for better understanding clarity purposes and also for time savings. The first portion of the presentation will be a discussion of the Comprehensive Plan Amendment for the Downtown Stafford area and that will be led by Mike Zuraf. The second portion of the public hearing presentation will be pertaining to the Zoning Ordinance Amendment for the UD Zoning District, and Brian Geouge will give that portion of the presentation. Then finally, the last part will be dealing with the rezoning of the County's property and the JPI property, and Kathy Baker will lead that discussion. And I'll turn it over to Mike Zuraf.

Mr. Zuraf: Okay, good evening Mr. Chairman, members of the Commission. If I could have the computer please, thank you. So, yeah, this is a public hearing for the Downtown Stafford initiative. And, as Jeff's already kind of outlined, you know, this has three parts to it, all separate public hearings that we'll go ahead and present at once. I'll go through kind of the historical kind of background to what's led us up to where we are now. But, you know, the three parts as mentioned includes an amendment to the Comprehensive Plan, specifically parts of Chapter 3; amendments to the Zoning Ordinance regarding the Urban Development, UD, Zoning District and related subdistricts; and then the zoning reclassification of several properties from B-2 and B-3 to Urban Development-5... the Urban Development-5 zoning subdistrict on 29 acres. So, this image shows the general limits of the Downtown Stafford area, the area that we're talking about tonight. The area is bounded generally by Courthouse Road to the north and west, and Hospital Center Boulevard to the south, and US Route 1 to the east. The image shows the general limits and the total area covers approximately 180 acres. The portion under consideration for the zoning reclassification is just on the south side of Courthouse Road and covers approximately 29 acres. And we'll outline those specific limits later in the presentation. So, the Courthouse Urban Development Area has been in development, the concept, since 2008. It was identified in the 2010 Revision to the Comprehensive Plan. It was identified as an Urban Development Area back at that time. There was focus on the potential for the Downtown Area in this location. The effort leading up to that 2010 approval included community workshops and development of a vision for a walkable community with shops, restaurants, amenities, community gathering spaces, and entertainment and culture. The idea is to... that the area would embody work, live, play concept, as well as be a signature destination within the County. The new Interstate 95 interchange at Courthouse Road changed the road network and complexion of the area that kind of furthered this idea. Also, a new Courthouse building and need for additional parking in the overall county government complex helped to shape further discussion as well. Also, consideration of a public private partnership to help with the development of this area, and building this as an urban center is part of the thinking as well. After the 2010 comp plan change that identified this as an urban development area. In 2012, the Board developed and adopted that Urban Development Zoning District that we have today. This permits mixed use development and includes high density development as well, higher than, than what we have in other zoning districts in the County. Also, a small area plan was adopted as a component of the comprehensive plan. That's the image you see where it went a little bit deeper and in more detail from the original overall Urban Development Area concept and started laying out some, some potential street networks and different... and showing a different mix of how land uses could be oriented throughout this area. And the star identifies the

general location of the specific portion that we're talking about tonight. Then in 2016, the comp plan was identified and further amended and identified the Courthouse area as a Targeted Growth Area going away from the Urban Development Area concept. But within this amendment, the latest changes reinforced the overall downtown concept. And there's that location again for... Okay, then, in 2017, the Board did authorize the hiring of a development adviser, Stantec, to assist with the effort, included some workshops with, with the Board, also some site visits to other kind of similar downtown areas in the Washington region. And based on the findings, a vision for Downtown Stafford was presented, it included the concepts you see here with it being a walkable, vibrant town center, including pedestrian and bicycle amenities, providing a signature place that represents Stafford's culture and values, and then... but also acknowledged the car dependent realities of the market and where we're located. And the proposal is also in line with several priorities of the Board's 2040 strategic plan. Within that document, the Board further emphasized the efforts towards creating a Downtown Stafford and within the priorities they recommend... there are several priorities, they recommend incentivizing growth in the Targeted Growth Areas, identifying a location for the Stafford County Museum and Cultural Center, and then also beginning construction of the first phase of Downtown Stafford through a public private partnership. So then moving along, since early 2019 staff worked to develop the proposed Comp Plan amendment and then also propose Zoning Ordinance text amendment changes. And then on September 15th, the items... those items were referred to the Planning Commission for consideration, along with the Board initiated Zoning Reclassification for County owned properties and then adjacent privately-owned properties. And since that point, Planning Commission has been reviewing and discussing the components at their specific work session to focus on the rezoning. And then several other regular meetings were dedicated towards diving into this overall issue. So now getting at item 2. Now to go over the overview of the Comprehensive Plan amendments that are proposed. The amendments would modify the portions of Chapter 3. It's the Land Use Plan chapter of the Comprehensive Plan. Generally, what the Comp Plan amendment includes is would an adoption of a new land use concept plan for the specific downtown portion of the Courthouse targeted growth area, amending text to describe features that are provided in the plan, identifying recommended public facilities and infrastructure to facilitate this development, and then recommending development densities, building heights and other design standards that are unique to this this urban development area... this Targeted Growth Area in Downtown Stafford area. So, this is the land use concept plan that would be part of within Chapter 3. It's again focused on the area that I've already outlined between Interstate 95, Route 1 south of Courthouse Road and then north of Hospital Center Boulevard. It includes County owned land, also on the north side of Courthouse Road where, where we are now, and also includes that area for potential connectivity to the Courthouse Complex. It identifies a grid network of streets. It provides an emphasis on the importance of providing an open-air plaza as a community focal point in this area, including a... also recommends providing parking structure to help provide areas for people to park but not provide open seas of parking that would take up land and make it less pedestrian friendly. Also, recommendation for a potential Cultural Center within the development. And then you have multistory buildings also that would... may have private garage parking associated with them as well. Also, some of the features of the amendment, the amendment highlights the County's smart, smart community efforts to advance next generation technology into the development of Downtown Stafford. This includes the county's partnership with the Center for Innovative Technology that identified Downtown Stafford as a potential testbed within the Commonwealth. Efforts basically through this would have an overall intended goal of identifying how to utilize the latest technologies that serve to improve community safety, including safety of pedestrians and vehicles, reducing traffic congestion and cutting overall energy consumption. The plan also recommends increased both development standards, only for the Downtown Stafford area, and it does not carry over those higher standards into other areas of the Courthouse Targeted Growth Area or other Targeted Growth Areas in the County. So specifically, within the downtown area, it identifies building heights up to five stories, but also does mention that some there's a potential to go above five stories if special approval is granted. Also, floor area ratios for certain areas of up to 2.8 is recommended. Currently, the Comp Plan doesn't recommend... it recommends up to only 1.0 Floor Area Ratio and also residential densities, up to 45 units per acre.

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Currently, the Targeted Growth Areas only recommend up to 14 dwelling units per acre for multifamily units. So, these higher densities do equate to residential build out in the downtown area of 2,418 multifamily units and 72 townhouse units. After factoring what of... what could have been accommodated with the... under the lower recommended densities, the amendment increases the number of projected multifamily units by approximately 1,690 units. So, in the downtown area, that would go from 728 units, up to 2,418. And then the overall Courthouse Targeted Growth Area, which covers a much larger area even to the west of Interstate 95, that would go from 1,500 up to 3,190. The additional units are resulting from increased density recommendations that I just reviewed.

Mr. Randall: Mr. Zuraf?

Mr. Zuraf: Yes.

Mr. Randall: I have a quick question for you. When you say the downtown plan buildout, are you talking about the areas that we're talking about tonight? The 29 acres or are you talking about, the entire downtown 85 acres?

Mr. Zuraf: I am talking about the entire 180 acres.

Mr. Randall: 180 acres. Okay, is there any way to differentiate? Sometimes it seems like we, we jump back and forth between the 29 acres that we're talking about versus 180 acres we're talking about versus this area. Is there any way to differentiate?

Mr. Zuraf: Yeah, I think that's covered... It's definitely be covered in the rezoning portion.

Mr. Randall: Okay.

Mr. Zuraf: There might be a comparison of the two within that.

Mr. Randall: Alright, so the whole... when you say downtown area, the whole area, not, not just the rezoning area, but the entire area...

Mr. Zuraf: Yes.

Mr. Randall: ... we expect to jump by 1,690 residential units.

Mr. Zuraf: Yes.

Mr. Randall: Is that correct?

Mr. Zuraf: Yes.

Mr. Randall: Okay, thank you.

Mr. English: Mike, if my figures are right... So, you're talking probably 4,000 additional homes in that area, is that right? That's including the townhouses and the multifamily homes and the additional units. So, is that right, about 4,000?

Mr. Zuraf: Well, it's 2,418.

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Mr. English: So that's going to be the total, 2,418.

Mr. Zuraf: The total, yeah.

Mr. English: And that's including the 72 townhouses?

Mr. Zuraf: Yes.

Mr. English: Okay.

Mr. Zuraf: Yeah.

Mr. English: So that's...

Mr. Zuraf: We assume that the 72 townhouses would have fallen under what was already estimated in this area, as a small number.

Mr. English: And that, and I'm sorry, that's not including apartment buildings either. Would that...

Mr. Zuraf: That's everything.

Mr. English: Everything, apartments, everything?

Mr. Zuraf: Yes.

Mr. Cummings: So that's... hey Mike?

Mr. Zuraf: Yes.

Mr. Cummings: Dexter Cummings. I was curious about the difference between the larger are plan, that you call the Downtown Stafford, the larger area. And the small area plan. Were they... were those... how, how... what was the difference in how they were developed or design?

Mr. Zuraf: Let's see. So, you're referring to this small are plan, yes.

Mr. Cummings: Yeah.

Mr. Zuraf: Well, they're not too different. This way was a result also of... there were... in the development of this small area plan, there were kind of similar community workshops that were held and the consultant also helped us with this and getting similar vision...

Mr. Cummings: (Inaudible) yeah, but in terms (inaudible) particular lot sizes, density, what was more (inaudible) use more to define it?

Mr. Zuraf: Under this scenario, it generally followed the lower density. So maybe, and it covers, as you see, a much larger area. So, the, the densities did not get to the level that we are in. But it did identify kind of three centers, one being basically around the Courthouse and then one in this block, that where we are now, heading also to the east side of Route 1 and then another center to the south of the hospital. So, it kind of just covered a larger area.

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Mr. Cummings: I guess what I'm going towards is, one is conceptual, right? And is more granular, correct? It goes on actual data?

Mr. Zuraf: The...

Mr. Cummings: Meaning the lot sizes are somewhat accurate, where the data was built... that built this plan is a little bit more in conformance with reality on the ground.

Mr. Zuraf: I would say so, yes, because, yeah, we get into much more specific build outs. We go block by block in this latest. So, you're kind of, yeah, you're, you're diving, digging in a little deeper and getting a little more detailed with what we're looking at in this portion.

Mr. Cummings: And it utilized some technology that was not used in the concept plan, correct?

Mr. Zuraf: Sorry, could you repeat that question.

Mr. Cummings: And it... so it is using some technology also that's not used in the in the concept plan?

Mr. Zuraf: Somewhat, it's...

Mr. Cummings: Okay.

Mr. Zuraf: It's still, it's still a general concept.

Mr. Cummings: Okay.

Ms. Barnes: Chairman Apicella, can I jump in with a question for a second?

Mr. Apicella: Absolutely.

Ms. Barnes: Thank you. I am not sure if this is the right place to do it, but we're paused and we're stopped and we're asking questions. So, I'm going to jump in with my question, and this might be the good spot for it. On page 17 of Attachment 3, it says, good planning practices dictate that at least 1,000 dwelling units should be located within walking distance of commercial core to make a downtown viable. 1,000 units, yet this proposal, I believe, is what, 2,418 plus 72 townhouses. So that's 2,490, that is over double what this says that you need at least a thousand. I mean that is, that's a huge difference in number. What's the reason for that much of a difference?

Mr. Zuraf: Well the thousand is really the minimum. So, I think, you know, you could just go with the minimum is the max but that it's just so narrow and then you're not providing enough flexibility. And the more the more rooftops or units you get, the more potential customers to the businesses. And I guess the more, I guess, potential success that you might have with, with the businesses that come into the area because there are more customers.

Ms. Barnes: So, so we're saying that at least doubling that. And, you know, it's I think it's one and a half times the thousand that's recommended is what you think we would need to have a viable downtown in Stafford?

Mr. Zuraf: Yeah, and then a part of that is, what can be accommodated within this limited area in, you know, yes, we will, you know, there's a lot of other residents in the surrounding area that will hopefully

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come to this area in this location and add to the customer base. But it's within that close proximity. And, and the 2,418 is probably just more so a product of what the build out can, can accommodate in this area.

Ms. Barnes: Okay, thank you.

Mr. McPherson: Mike, I have a question for you. This, this might potentially be something to bring up with the Comp Plan Subcommittee, but given a lot of the comments we've been hearing over the last couple of months that this is a public private partnership, we are targeting towards high density, it's been identified as the TGA back, you know, years ago, and it does quote, represent Stafford's culture and values. What capabilities does the County have to maybe require some of the housing built be affordable housing? And on top of that, given that Downtown Stafford is in the TDR receiving area, is there a way to potentially require that a TDR used by a developer would have to push towards affordable housing? Just trying to make this a little bit more better in that direction.

Mr. Zuraf: Yeah, on this question I would defer to Jeff, he's....

Mr. Harvey: Commissioner McPherson, those are good questions. The Comprehensive Plan in general terms, addresses affordable housing in that it says that affordable housing should be located in our Targeted Growth Areas. So, it could be accommodated in this downtown concept. However, we currently don't have inclusionary zoning in our county, and that's something that the Board of Supervisors could consider taking up in the future. Inclusionary zoning implies that in your zoning district regulations you require a certain percentage of the houses being built must be affordable. And along those lines, if the County was to pursue that, they would have to be some mechanisms in place that the County can be the gatekeeper and safeguard that those housing units maintain their affordability. But that's a broader discussion at the County level with the Supervisors and possibly the Planning Commission, because that will require additional manpower at the government level, government oversight and things of that nature. So, it is a possibility for the future. But right now, there's it's not possible based on our zoning scheme to require affordable housing.

Mr. McPherson: Okay, thank you. What about the potential to require it for somebody who uses TDR to Transfer Development Rights? Is that also the same process?

Mr. Harvey: The provisions for Transfer of Development Rights is a voluntary measure between property owners, so the County cannot require someone to utilize TDR in order to develop their property. However, in this proposed ordinance amendment that we will get to a little bit, there are some incentives for people to utilize Transfer of Development Rights.

Mr. McPherson: Okay, thank you.

Mr. Harvey: You're welcome.

Mr. Zuraf: So also, the amendment includes a series of new design criteria that specifically applies to the downtown area. The design criteria would ensure the area is developed consistent with the overall vision, the location, amount and type of, some of the... so this kind of just summarizes some of the key criteria. The location amount, type of land use is shall be generally consistent with land use concept plan that we've seen. A phased mix of commercial and residential development is encouraged to maintain a fiscal balance as we go out into the future to avoid somebody just coming in with 2,000 residential units and calling it a day. That is not going to be something that this plan would support. A phased mix of commercial and residential development is encouraged to maintain fiscal balance, also allows minimum building setbacks due to kind of promote the pedestrian, walkability in this in this community. Also supporting relaxed parking requirements, encouraging public parking, shared parking, it in public and private parking garages

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within, within the community. Recommending environmental considerations in building design, recommending the provision of adequate green space and parks and community amenities to which developments are expected to contribute to those needed amenities. And also recommending a festival street be provided in the downtown area, and recommending pedestrian and bicycle accommodations be provided within, within the overall development. Regarding public facility's needs, the plan estimates the additional public facility needs based on adequate level service criteria, the additional 1,690 units would result in a population increase of 4,343 residents as recommended in the plan... in the Comprehensive Plan.

Mr. Bain: Excuse me, Mike.

Mr. Zuraf: Yes.

Mr. Bain: Just for clarification, is that for the for the total Downtown Stafford area or is that for the Targeted Growth Area?

Mr. Zuraf: That is just an increase in the downtown area.

Mr. Bain: Yeah, but the total numbers, the 14,610.

Mr. Zuraf: That's the entire Targeted...

Mr. Bain: Targeted Growth, okay. Thank you.

Mr. Zuraf: So, we have some estimates of the additional need based on the different public facilities. For Parks and Recreation, it would be an increase of 205 acres up to 292 acres. The additional need of 87 acres would be in staff view unrealistic to achieve within the limits of the downtown area. That only covers 180 acres. And so those additional 87 acres would need to be relied on... we need to rely on providing parkland and associated recreational opportunities on other nearby property and land outside of the downtown area. With Fire and Rescue, there will be an increase from .78 to .98 stations. With libraries and increase up to almost a half a library. And then also with public schools, the additional school needs are based on the increase of the 1,690 multifamily units and the per unit student ratios for new development as estimated by the school division. The increase recommended development would add approximately 310 students across all school levels, including 191 students to Winding Creek Elementary, 68 students to Rodney Thompson Middle and 51 students to Colonial Forge High School. During some of the prior work sessions, some County Economic Development staff said some estimates of a much lower number of school children. The Camp Plan does take the more conservative approach of identifying the highest potential impact based on the general criteria that we've used in past cases.

Mr. Randall: So, Mike?

Mr. Zuraf: Yeah.

Mr. Randall: We need to talk about this just for a second. So just so everybody's clear, when we say 1.26 schools for the Targeted Growth Area, that's what we're talking about, correct? We're talking about the Courthouse Targeted Growth Area?

Mr. Zuraf: Yes.

Mr. Randall: Right?

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Mr. Zuraf: Yes. The entire Targeted Growth Area.

Mr. Randall: The entire Targeted Growth Area that by this and by what we would put in a Comprehensive Plan, we would need one and a quarter brand new elementary schools just for the Targeted Growth Area.

Mr. Zuraf: Correct.

Mr. Randall: Correct. Okay, and that given the change... given what we're doing tonight, we're talking about 310 kids just for the, what, just for the 30 acres that we're talking about? Or are we talking about...

Mr. Zuraf: It's the...

Mr. Randall: ... the downtown area?

Mr. Zuraf: The whole 180 downtown...

Mr. Randall: The whole... and that's a total of, what did we say, 600 kids? 600?

Mr. Zuraf: Three...

Mr. Randall: 310?

Mr. Zuraf: 310.

Mr. Randall: Now, is that the same as what the schools have determined for that same area?

Mr. Zuraf: Yes, it's the... it's based on the same rates. And this this is as I'm mentioning, it's the increase of what the Comp Plan already should...

Mr. Randall: Alright, I guess we will talk more about realistic, what the, what the realistic numbers were determined as we get there. So, okay, alright. Thank you.

Mr. Zuraf: So also, I will point out, of course, the higher recommended development densities that's going to have an effect on, of increasing vehicle trips through the area. So, provide a few points regarding transportation. The first point, you know, a grid network of streets is planned, so there is going to be a lot of circulation through the downtown area that's recommended. That would, it's planned to lessen the anticipated increase in traffic and resulting impacts on the existing transportation network outside of those limits. Of course, there will be some, but having a good network of streets within this area would hopefully lessen that. There is a limited TIA prepared by Stantec as part of the concurrent zoning reclassification, and we'll... that'll get covered during the, that part of this presentation. Also, a number of recently completed and planned road improvements, those should lessen the impact... the impacts resulting from the Downtown Stafford. Those include the reconstruction of the Interstate 95 interchange, the concurrent widening of Courthouse Road, also the new segment of Hospital Center Boulevard. All of that has increased the vehicle capacity on the surrounding road network. With planned road improvements, you have proposed Route 1/Courthouse Road intersection improvements. That's a county project that's going to add some turn lanes at that intersection. Also, some divided medians as well to help some of the traffic flow through the through the Courthouse area.

Mr. Cummings: Excuse me Mike.

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Mr. Zuraf: Yes.

Mr. Cummings: Does that... those improvements (inaudible) does that statement include the approval of DHL on some of the other items that we have coming down the pike?

Mr. Zuraf: Yeah, the, well, some of the improve... I was going to mention, yeah, the Burns Corner and Courthouse Tracks, that just got approved. Those projects, they're going to be providing, as part of their development, some improvements to help access into and out of their developments as well.

Mr. Cummings: So, does that add to or you said that was going to lessen the traffic impacts on the road.

Mr. Zuraf: The additional improvements that those other developments provide will further lessen the, the impacts or basically will or the intent will offset the impacts that those projects provide or contribute to the network.

Mr. Cummings: That's even given the number of trips... vehicle trips and employees that are going to be traveling that roadway? I mean, has that cost calculation been done? I am just wondering.

Mr. Zuraf: The full evaluation, no. Not to that level of detail.

Mr. Cummings: Thank you.

Mr. Zuraf: So also, there's the recently constructed and expanded VDOT commuter lot that also contributes to the reduction of probably more so regional, vehicle trips at 95. And then the proposal recommending pedestrian and bike connectivity within and to the adjacent sidewalks would help contribute to some vehicle reductions as well. In general, with Comp Plan, staff recommends adoption of the proposed amendments to the Comp Plan portion. Item 2 regarding the Courthouse Planning Area pursuant to Resolution R21-46. And now I'm going to turn it over to Brian to talk (inaudible)...

Mr. English: I've got a quick question for you Jeff... I mean Mike. In a perfect world, this thing gets approved. Everything gets going. What's, what's build out? Five years? Is that what you're looking at? I mean, it was in a perfect world and everything goes smooth and they say, so what's the timeline for a build out for this project?

Mr. Zuraf: Well, I think the over... the entire probably full Downtown Area...

Mr. English: Yeah.

Mr. Zuraf: I think I could see probably 15 to 20 years.

Mr. English: About 15 years. So, you think the complete build out would be 15 years then?

Mr. Zuraf: I would say so.

Mr. English: Huh?

(Inaudible, microphone not on).

Mr. Randall: What about the 30?

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Mr. English: What about...

Mr. Randall: What about 38 or 29 acres...

Mr. Zuraf: Well, the 29 acres, that could maybe be, maybe five years when they... and that's... I'd say even, I'd say maybe 5 to 10 years.

Mr. English: So, stages. The stages would be 5, 10 or 15, so that's kind of the stages.

Mr. Zuraf: I would say. Yeah.

Mr. English: Okay, that's what I need. Thank you.

Mr. Bain: Mike, do you know offhand the number of residential units in that phase one, 29-acre area? I know a lot of that is county buildings and things. Do you have any idea?

Mr. Zuraf: Off the top... Kathy does, she'll cover that in full detail.

Mr. Bain: Okay, alright. I'll wait.

Mr. Zuraf: Yes, Okay.

Mr. Geouge: Good evening again, Mr. Chairman, members of the Commission. I'm going to be covering the proposed ordinance amendments section of this presentation. So, a little background first, in 2012 the Board adopted the Urban Development, or UD Zoning District, which is based on mixed use based code, and it facilitates a type of development envisioned here in the Courthouse area, that promotes the development of pedestrian friendly, walkable neighborhoods with a mix of uses and housing types. Since early, 2019, staff has worked on amendments to the UD ordinance to help lay the groundwork for establishing Downtown Stafford. Throughout this process, input was provided by Stantec and developers. The Planning Commission discussed the proposed ordinance amendments at a work session previously as well as verbal, excuse me, several regular meetings. And several changes to the ordinance were recommended as a result of these discussions, including increasing sidewalk widths, changing regulations for parking and landscaping, and also establishing a maximum FAR for commercial buildings. The following slides will get into an overview of the proposed ordinance amendments. One of the changes was to the structure of the district in general so that UD District is comprised of five subdistricts UD1 through 5. We are proposing to remove UD1 as it is very similar to UD-2, and the only real difference is that UD-2 also allows townhouse dwellings, which we felt would be appropriate and the lowest density UD subdistrict. The most significant change to the district proposed has to do with allowed densities and heights, so we're proposing increased density and height to accommodate the proposed development and to provide the kind of urban environment and walkable, easily accessible by pedestrians. So, we are proposing a moderate increase in townhouse density. Currently at the, the maximum is 8 units per acre. We're proposing an increase to 12 units per acre. We're proposing a substantial increase in multifamily density. As Mike mentioned, the current maximum is 14 units per acre. What we're proposing is to sort of level that based on the subdistricts. So, UD-3 would be up to 30, UD-4, 40, UD-5 up to 50 units per acre for multifamily. We're also proposing a larger bonus density for TDR to help incentivize use of that program. Whereas now you... if you use TDR, you can only get one additional unit per acre for multifamily. But as proposed, you could get up to 5 additional units per acre in each of the respective subdistricts. We are also proposing a substantial increase and maximum FAR for commercial developments. Currently, the maximum is 1.0, so we're proposing a maximum of 3.0. And again, the Downtown Stafford concept plan and envisions a FAR of up to or around 2.8 in certain blocks. So, to put these density requirements in the context, the initial

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rezoning area, which is also known as phase1, is shown in the crosshatch at the top of the image here, that would consist of about 22 acres after you take away... take out right-of-way dedication. The total units in that area is 979 proposed. That equates to about 44 and 1/2 units per acre. As I mentioned, the FAR gets up to about 2.8 for certain blocks. There's those multifamily blocks in particular, and it includes mixed use buildings of up to four stories. If you look at the entire downtown area, we estimate that's... excuse me, the remainder, estimate approximately 85 acres after right-of-way dedication with about 2,500 units or 29 units per acre, across the entire area. Again, FAR of up to about 2.8 with mixed use buildings up to 5 stories. We're also proposing a few changes to allowed uses. Some of the changes would include adding attached dwellings and commercial and mixed-use buildings to the UD-3 subdistrict in order to promote more mixed-use developments. There are also, certain uses that are currently by-right, which include dormitory, hospital, nightclub and vehicle sales, which we were proposing would now require a CUP after this amendment. And the proposed changes would also allow public parking and parking garages and more subdistricts. As far as open space and setbacks, the revised standards would allow more impervious area on lots. However, landscaped areas would still be required for the DCSL. Setbacks would be reduced to allow building features such as entry ways to be placed closer to the streets. And the build to zones were also adjusted to coincide with the reduced setbacks. And you can see some of the proposed changes to the open space requirements and set backs on this table here. For parking, one of the most significant changes is that we are adding... proposing to add shared parking allowance, similar to what's used in the PTND District. And you see, see the top table here shows how you would calculate shared parking. It's based on the types of uses that are sharing basically to get different credits, depending on those particular uses and how they interrelate. We also are proposing to eliminate the UD specific parking table and all parking would now be based on the standard parking rates and table 7.1, which will simplify things. There's a table at the bottom of the slide here that shows comparison of what's currently in the UD District for parking and what's currently in table 7.1. The rates are generally pretty similar, so eliminating that specific UD section will help clean up the ordinance some and simplify things. We also note that the ordinance would still allow for credits based on proximity to transit and transportation demand management. And finally, it would allow the agent to modify the parking requirements with acceptable written justification provided by the applicant. For landscaping, a few of the changes are that their proposal would exempt the UD District from street and buffer requirements. Again, in an effort to try to bring some of those buildings up closer to the road, which is typical in urban settings. It would also exempt the UD District from perimeter parking lot landscaping and vehicle access drive landscaping. Street trees would still be required. However, they would be at an increased interval of no greater than 50 feet spacing between each street tree. And the changes are intended to support a more compact development.

Mr. Bain: Mr. Geouge?

Mr. Geouge: Yes, sir.

Mr. Bain: If you would go back to that second. So, with the revised building setbacks, that picture would not apply because you'd have the sidewalk, you would not have the green space that's surrounded by a low brick wall, would you? The building would be at the edge of the sidewalk, if I understand the proposed setbacks.

Mr. Geouge: That is a possibility. Again, it is a minimum, the developer could...

Mr. Bain: The developer could...

Mr. Geouge: ... do something different...

Mr. Bain: ... push it back, but how many developers...

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Mr. Geouge: ... potentially.

Mr. Bain: ... do that when they can get more building space. So that picture is a little misleading. But the trees look like they're closer than 50 feet, so maybe that offsets it.

Mr. Geouge: The other thing to keep in mind too, is you're still going to have to address stormwater management and water quantity and quality control. So, there may be a need to still incorporate some level of green space in these developments

Mr. Bain: Well that brings up something. Has the County considered, excuse me, a centralized stormwater management facility rather than each developer doing their own thing?

Mr. Geouge: It's not contemplated on the, the development plan, the land use concept plan. So, it's not clear how that will ultimately be addressed. It may depend on the specific developer and what's economically feasible to them, because I know, you know, there's a balance that you can do in ground to a certain extent, but that's costly also. So there, there could be a combination of the two potentially.

Mr. Bain: With the density that you're allowing here, I seriously doubt inground or below ground would be achievable unless you dig deep tunnels or something like that. So, that is why I think maybe the County should consider doing a centralized facility. Pardon my voice, I don't know what happened.

Mr. McPherson: Brian, I have one question for you, if I may. So, given that we have street trees and also, we're allowing outdoor dining, which often has tables sticking out a little bit, is there a way that we can make some requirements that if a restaurant wants it... wants to have outdoor dining, a street tree might have to be moved from side to side? Because if we have a street tree with a wide base and tables going way out, we could have a very narrow sidewalk, which means we lose our, our sidewalk width. And I understand that that could potentially make some trees go a little bit farther apart than 50 feet. But if the average along the street was 50 feet of an average, you know, if we had one that was... two that were 20 feet apart and then, you know, the next one was 80 feet apart, there still be an average of 50 feet. So is that a possibility to consider outdoor dining and street trees, maybe not having them right next to each other so that there's only maybe a five-foot walkway

Mr. Geouge: The street tree or requirement, as far as the spacing, is pretty clear and that it is a maximum. So that cannot be exceeded. So, the intent there is to provide a consistent esthetic along the street. I think in cases where we know there's going to be outdoor seating, such as for rezoning proposal comes in, we could work with them to accommodate those areas without conflicts. That's my hope at least.

Mr. McPherson: Okay, thank you. Because I think that would be critical to not have tables right next to a street tree.

Mr. Geouge: Some other changes relate to street and block standards. So, we are proposing to remove... there are two block standards, currently. There's a regular block length maximum and there's a perimeter block length maximum. We're proposing to remove the perimeter requirement. And we're also proposing to increase the maximum block length for the UD-4 and 5 subdistricts to help allow for what is depicted on the concept plan. We're also proposing to eliminate certain street types that do not meet VDOT standards and are unlikely to be used. The proposal also combines certain street types to simplify the ordinance, and we adjust other street types to help ensure consistency with VDOT standards. And finally, for certain street types, we are increasing the sidewalk width to 10 feet, and again, that is a minimum.

Mr. Randall: So...

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Mr. Geouge: Yes sir.

Mr. Randall: Brian, then, alright, so looking at this picture, you have a 10-foot sidewalk. If they wanted to do outdoor dining, the outdoor dining, would need to end so that you still maintain a 10-foot sidewalk, is that correct? Is that what I'm hearing from that?

Mr. Geouge: That's what we would look for with development proposals...

Mr. Randall: Okay...

Mr. Geouge: ... yes.

Mr. Randall: ... so the, so the, so the setback would be... so the buil... so the... what the, the build area that would include the outdoor dining would start 10 feet from the plant area.

Mr. Bain: As a requirement.

Mr. Geouge: As a requirement, there's ...

Mr. Bain: No.

Mr. Geouge: There's nothing in here that that states you have to add an additional "X" foot of sidewalk if you're going to do outdoor dining or anything like that. It's, it's intended to, as the ordinance is currently structured, to provide flexibility. And the thought there again is that when we receive development proposals, we're going to know what they're proposing and where. We're going to be able to evaluate that on a case by case basis rather than applying a blanket, okay, standard of you're going to have 20-foot sidewalks everywhere, because that's, that's going to be eating into development area and potential in areas where potentially is not needed.

Mr. Randall: I understand, and we've had this conversation before is that they're going to want, you know, we're in this for the long haul, they're not, right? They want to build what they want to build to what they... to what they want to develop, not necessarily what's best for the next 30 years in our county. And so, I think what, I think the point that's been trying to make here is that, you know, if all we do is require them to build to the minimum, that what you're seeing for Downtown Stafford could look just like that. No outdoor dining, because it will be a requirement. There won't be places in the county that will require... no, no sorry. If you want to build around the festival area, you have to have outdoor dining period. No discussion end of story, it has to happen. These four blocks have to be built just like this. If you don't want to build like that and go build half a mile that way. That's what I'm looking for. That's putting something in the ordinance that says within this four-block radius of our festival area, downtown... outdoor dining will be required, there will be a 20-foot set back from, from the sidewalk, that will allow for outdoor dining period, end of story. That's how it has to happen. I think sometimes the flexibility that we provide in our ordinances, keeps us from having the ability to say... to get what we want, to get what's best. And I think that's the, that's the point that's being made, is that if this is a minimum, this is what we're going to get and we won't have any flexibility to say, no, that's not what we want. Well, that's what you said. That's the minimum required. And so, we're going to give you the minimum. I want to raise the minimum to include the fact that within a certain period... within a certain location, there's a whole other area that says no certain area, there's a 20-foot setback that's going to requi... And if you don't want to have the outdoor dining and you want to put plants there, put plants there, that doesn't mean that the people who buy it from you won't remove all the plants and have outdoor dining, but the building won't be a problem. I can't move a building once it's built. We all know that, right. So anyway, thank you.

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Mr. Geouge: Another... well this really, several changes to the ordinance were done for organizational purposes. We're consolidating multiple graphics and tables that contain similar information. There is an example of that here, where you have four separate graphics and tables that are combined into two. We are organizing information in a more logical way, eliminating duplicates and unnecessary information and just in general, allowing for easier interpretation and implementation. Staff is recommending approval of the proposed Ordinance O21-10. The amendments would support the Downtown Stafford initiative, and the amendments would also streamline the ordinance to allow for easier interpretation and implementation of requirements, which would help both on the applicant and staff's end. And we do note that the deadline for action is March 29th for this item. And the next set of slides We'll get into a reclassification application. If there's any other questions on the, the UD ordinance portion at this point?

Mr. Bain: I'm sorry, just... if you would go back to that slide that showed the density calculations. I was trying to write some notes, and you moved away from it a little too quickly. Yeah.

Mr. Geouge: Alright, this one?

Mr. Bain: This one, yeah.

Mr. Gouge: Okay.

Mr. Bain: So, the phase one has 979 units. Okay, and the total build out was the 2,490, that's additional?

Mr. Geouge: No, no, that is total.

Mr. Bain: That's right. That is total. Okay. But that's, that's just the downtown area total.

Mr. Geouge: Correct.

Mr. Bain: Okay.

Mr. Apicella: Brian, just for some additional context, can you just indicate what the split is between the JPI property and the rest of the county property, on the number of units? I think it's roughly 300ish on the JPI property and the remainder is on the county property, right?

Mr. Geouge: I believe you are correct. However, Kathy will be detailing that in her presentation, so I'll defer to her if that's okay.

Mr. Apicella: Yeah. Thank you.

Ms. Baker: Alright, thank you. Bear with me, there are a lot of slides here, some of them will go through quickly, but hopefully this will tie everything together and answer some of the questions you all have already raised. This request is to rezone about 16 acres from B-2, Urban Commercial to UD-5, Urban Development. It will also rezone about 13 acres from B-3, Office to UD-5. There's a total of 29.19 acres and 13 total parcels within this rezoning area. The owners are Stafford County Board of Supervisors, which is the County, I'll refer to, and JPI Fountain Park LLC, which I'll refer to as JPI. Stafford County has eight of the parcels and JPI has five of the parcels, And the County is acting as the applicant on behalf of the Board and JPI. We've already talked about the location map, this is just the rezoning area, the blue parcels are the County properties and the yellow or the JPI properties. As you see, the existing zoning, the red area outlines the zoning area, the light pink, the B-2 area zoned, and then the darker red or B-3 areas. You'll see across the street to the north and to the east, you also have quite a bit of B-2 zoning. To the south of the

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subject property, you have some residential zoning, including R-1, Single Family and the R-4, which is intended for manufactured homes. You'll also note the purple lines are the Highway Corridor Overlay District along Route 1, and a portion of the rezoning area falls within that. This is a view of the existing conditions, as you see, it's primarily undeveloped, primarily wooded. You do have some small scale commercial and residential and office use right at the corner of Courthouse Road and Route 1. And then you cross to the north side of the Courthouse Road, you see the Government Center, Public Safety building, there are some offices, and then you get into some higher density residential units to the top of the screen. To the east and along Jeff Davis Highway, Route 1, you'll see some more commercial development interspersed with single family residential. And then immediately south you see the areas of the residential and the manufactured home park. Just to give you a little more context to the overall downtown area, you see the yellow is, I'll call it the core area of Downtown Stafford, which is what Brian was talking about. He said the 85 acres. But that was after you take away right-of-way. So, probably all of Downtown Stafford area in this, in the highlighted area that you see is closer to 120 acres. And then we're including the Burn's Corner area, VDOT lots and the area north of the Courthouse, also included within the overall Downtown area. Sorry, and just to point out, the rezoning is in the red in comparison to the overall yellow boundary of the Downtown Stafford area. Again, just showing some of the existing conditions from a different view, this is looking south from Courthouse Road. This is your street view, what you see, the smaller office, commercial buildings and residential area, and then the Courthouse Road looking east along the road corridor. This is going from Route 1, looking west again, those small scale developments along Route 1, you'll see the Courthouse facilities to the right of your screen across Courthouse Road. This is your street view of Route 1, looking south from the intersection of Courthouse Road, and these are some of those commercial office buildings along the Route 1 frontage. You've seen the concept plan again, just to highlight the area in the hatching is the subject rezoning area and the 29 acres out of the overall, we'll call this general area, 120 acres. Get into the Generalized Development Plan, which you can see, this portion follows that grid street pattern that you see on the concept plan. The red stars highlight the public street access points that you'll have from both Courthouse Road and Route 1. And the blue stars are going to be internal or private access entryways into that JPI property, which will get into a little bit more detail in a minute. Again, the streets are going to be varying in street types through the project and throughout all of Downtown Stafford. Then this particular area, you'll see the green areas that highlight some of our open space, public civic areas, gathering spaces, that all of these areas are within a quarter mile, walking distance of basically any of these properties within, at least to one or more of the open space areas from all of your buildings. You'll see the total building area consisting of the retail, entertainment, office, residential and civic, totaling about 1.3 million square feet of building area.

Mr. English: Kathy?

Ms. Baker: Yes.

Mr. English: The red, the red stars that you see by the Courthouse Road, those... they're going to be just dumping out on Old Courthouse Road? That's what they'll be dumping out on?

Ms. Baker: That's correct.

Mr. English: Okay.

Ms. Baker: So, get into a little bit more detail on the buildings themselves and what they consist of. Again, these tie into the blocks that you see on the concept plan. Block 1 is shown as the civic area, which is... could potentially be the cultural center museum that we were referencing. Block 2 is going to be multifamily residential. Block 3 would be your townhouse area. Block 4 would be a mixed use with your retail on the ground floor, including a restaurant. And then multifamily residential would be on your upper

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floors. Number five... Block 5 is retail, which potentially could include entertainment area. Block 6 is the mixed use, again, with retail on the ground floor, multifamily on the higher levels. Block 7 is your open space area. The thirty 33,000 building area that you see there is proposed as potentially an amphitheater. So, the rest of that is green space to be used as a gathering area. Block 8 is the Fountain Park site, which I'll show separately. And then Block 9 is retail area with the proposed parking garage.

Mr. Apicella: Hey Kathy.

Ms. Baker: Yes.

Mr. Apicella: Before you move on, can you go back to that previous slid. So, since the County is the applicant, just to be clear, what portions and they're not proffering a GDP, what, if any, portions of what we see here is a concept plan versus something we're sure to get?

Ms. Baker: So again, this is a Generalized Development Plan. So as properties are to come in and develop in the future, site plans would be submitted. They would be generally in conformance with this Generalized Development Plan. But it does provide more detail with regard to how the site is anticipated to be developed. The... as we get into a little bit later, I'm going to talk about a memorandum of understanding with JPI and the County, which is specific to their, block 8, and that's going to lock them in a little bit more to that development. But as far as the County owned blocks, again, its concept, we're going to take each site as it comes in in the future and potentially negotiate with future applicants on how those properties are going to be developed to ensure that they're developing and consistent with this Generalized Development Plan and the overall concept plan.

Mr. Harvey: And Commissioner Apicella, to add on to what Ms. Baker is saying with the County and property, that will be a feature decision by the Board of Supervisors, whether they want to pursue development based on what this concept shows or pursue some other alternatives.

Mr. Randall: Mr. Chairman, I have a question. And I guess, I guess it... Mr. Harvey answered it a little bit. So, what we're looking at here is... is there anything in here that we're looking at here that's, that's definitive, that's firm? That's, you know, the roads are, we've decided that's where the roads are going to be. Therefore, you know, we can work on the sites themselves, but this is where the roads are going to be or is, is pretty much everything up for consideration based on somebody comes in and says, I want to size that's half this or I want to size that's time and a half... size and half of this. Is it, is it open for negotiation or is this pretty much what we're looking at as far as the roads and the size of the lots are concerned?

Ms. Baker: The blocks themselves are really going to be dictated by the road layout. I mean, again, it's general and when you get into engineering of the roads...

Mr. Randall: Sure.

Ms. Baker: ... that is going to have to be designed and that that's going to really lay out what your blocks are, what your block sizes are. This is a concept plan. So, things are going to change. But as Jeff said, the County will have the ability to sell parts of the property or even maintain the property and have others come in and develop it. It is all something that would be negotiated at the time of proposed development ...

Mr. Randall: Okay.

Ms. Baker: ... and we could help drive how that property is developed, maintaining that grid, grid system.

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Mr. Randall: Okay. So, the other question I had was, you mentioned and this is the first time I'm hearing about it, some type of an amphitheater down in our property where it they exactly would that be? What site are you looking at?

Ms. Baker: That's on Block 7.

Mr. Randall: Block 7.

Ms. Baker: And again, it's just a proposal that it would potentially be a covered dome type amphitheater open, you know, at one side...

Mr. Randall: Sure, sure, sure.

Ms. Baker: ... where you could potentially have music...

Mr. Randall: Have a band play and...

Ms. Baker: ... and then the rest of that area being green space. Again, that's not...

Mr. Randall: How do... how big do we expect that to be? Is that 3,300?

Ms. Baker: That's just the building area, the little amphitheater portion.

Mr. Randall: Okay, so how big do we expect number, Lot 7 to be total?

Ms. Baker: It's anticipated at about 0.45 acre, almost half an acre.

Mr. Randall: So, I have an acre. Okay. Do you think that's... Anyway, alright.

Mr. Cummings: Kathy, Dexter Cummings. I had a question. So, the, so this would account for pretty much a master plan for this area, or is that, would that be different? Or is it an opportunity for us beyond once this is approved to put (inaudible) to have the development subject to... have a master plan created for it?

Ms. Baker: So, again, this is really showing us what the desire is for development conceptually of this property. The County is going to be able to work with a future developer to design this as following the Comprehensive Plan, the Land Use Concept Plan that Mike talked about and ensuring that the development is going to follow this. So, it is still a concept plan. It's not in stone, it's not engineered. There are going to be changes as, as we get to the actual development process.

Mr. Cummings: Okay, Alright. Thank you.

Mr. Bain: Kathy.

Ms. Baker: Yes.

Mr. Bain: Just to clarify, then, of all the nine areas that you've designated, the County owns all of those except number.

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Ms. Baker: Correct.

Mr. Bain: Okay, are you going to talk about proffers or anything like that later in your presentation?

Ms. Baker: I am.

Mr. Bain: Okay, I will wait for my questions. Thank you.

Ms. Baker: Alright. So, moving on to block 8, which is the JPI property known as Fountain Park. This is, again, a conceptual drawing of what this would look like and going building by building, in this case, building one is proposed office building. And this is potentially where it could be used for County office space. Again, under this MOU, that I probably should have put higher... earlier in the process, so you all can see what that entails. But the building 2, is a mix of office and residential, which would have ground floor parking, building 3 would be office residential. And this is an area where they're proposing a cafe with outdoor seating. And that would look on to the Park Plaza right at the corner of Courthouse Road and Route 1. And their feature... main feature is a fountain that is going to serve as a gathering space for the public. It would be open to the general public. It would be accessible by sidewalks that are within the development, but also along Courthouse Road and along Route 1. Building 4 is residential with parking at the ground floor. Building 5 is solely office, building 6 is residential, and when I say residential, these are all obviously multifamily residential and with parking at the ground floor. And building 7 is office and residential mixed with parking below. You'll see the green, what are those, hexagons that depict the open space areas, in addition to the Fountain Park Plaza, they are proposing a pool plaza with some more outdoor dining, another outdoor dining area and a dog park.

Mr. Bain: When you say Pool Plaza, do you mean a swimming pool or...

Ms. Baker: Just like small...

Mr. Bain: A wading pool.

Ms. Baker: ... a small pool.

Mr. Bain: Okay, so...

Ms. Baker: It's more for a...

Mr. Bain: Will there be recreational equipment for the residents of that...

Ms. Baker: Within one of the buildings, there's proposed interior...

Mr. Bain: Like exercise room? But I'm thinking like sand lots and jungle gyms for children that might be living there.

Ms. Baker: I mean, that is potential, it doesn't get...

Mr. Bain: But not required.

Ms. Baker: ... to that level detail on this.

Mr. Bain: Okay, okay.

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Mr. Randall: Kathy, am I looking at a fence that goes all the way around? Is that what that shows? Is that, the black, is that a fence?

Ms. Baker: That's a property line.

Mr. Randall: Just a property line. That's not a fence. So, so you could have people coming to this fountain park, just walk in off of US 1?

Ms. Baker: That's the intent, that's to serve as a public gathering space.

Mr. Randall: Okay. Alright. Thank you.

Ms. Baker: And again, just to note, you know, these areas are tying in with the adjoining areas within this Downtown Stafford. You're going to be able to tie in to the, the Courthouse Complex. You can tie in to the VDOT commuter lot, which, you know, we've had folks come and say we want to have a farmer's market in the VDOT lot, similar to the one where they have on the Staffordboro lot. So, there are other areas adjacent to this, the hospital and other areas that are intended to be interconnected through pedestrian and other means to this area. So, here's your residential unit summary, and I've got two slides here that are hopefully going to give you all the clearer picture. So, I'm including in column one there, the overall Courthouse Targeted Growth Area and the total of 5,440 of your residential units. With the breakdown of that, you see the multifamily townhouse and single family. The overall 120 plus acres of Downtown Stafford, that total residential count is 2,490. So, based on that, the remainder of the Courthouse Targeted Growth Area overall would still have the availability of 2,950 overall residential units. And you see that remaining area is where all the single-family units are proposed because there are no single family within the downtown area.

Mr. Cummings: I'm sorry, I am sorry Kathy. This is Dexter Cummings again. So, so a question (inaudible) just nagging. So why, you may not be able to answer this. Let me try to reframe it, is it oftentimes better to have a master plan when entering into a public/private partnership to leverage land within the downtown area or where (inaudible) integrated.

Ms. Baker: That's correct. Yes. That that's why we have the overall concept plan that then drives down and then you get into your deeper into your generalized development plans and ultimate site plans and other engineered plans for the developments.

Mr. Cummings: Okay, so the master plan that you're talking about is that overall concept plan, right?

Ms. Baker: The concept, the land use concept plan for Downtown Stafford, which differs from the overall Courthouse Planning Area, Targeted Growth Area within the Comprehensive Plan...

Mr. Cummings: Which is the Small Area Plan,

Ms. Baker: Gets into part of the Small Area Plan they're all different versions, really different for different reasons for each of the plans.

Mr. Cummings: So that begs the question and maybe you can help tie it together to me as to why there is such a big difference between all the different plans, in terms of there... and reason why. I am just not clear.

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Ms. Baker: Yeah, I mean, the Courthouse Targeted Growth Area, as Mike showed in his original slides, is a more expanded area. You're talking areas down south of the hospital, east of the hospital, north of the hospital. The... that side of Route 1. You're getting into even the Embury Mill development and other areas on the west side of 95 is the overall Targeted Growth Area for the Courthouse Area. So, when we're talking about...

Mr. Cummings: (Inaudible) impact?

Ms. Baker: I am sorry.

Mr. Cummings: I know, but the impacts... I am sorry, but the impacts from this Courthouse Area to the JPI area (inaudible) the Supreme Court had consequences for those other Targeted Growth Areas and then beyond, right?

Ms. Baker: I'm sorry, I didn't quite catch that.

Mr. Cummings: They have the impacts that are created, because (inaudible) is going to be developed, for the sake of (inaudible) possibly five years. And so, whatever happens from that footprint is going to sort of mushroom out and have consequences for impacts, if you will, on the subsequent developments that happen.

Ms. Baker: Well, I guess what I'm trying to show in this slide is with the Downtown Stafford area being a lot of this 2,490 units, that's leaving the remainder of the entire Targeted Growth Area to their allotted 2,950 units. So, the downtown overall area is going to take up a portion and then we're going to dive down into actually what is within the rezoning area.

Mr. Cummings: Okay, don't deal what the units and I will talk about the other (inaudible).

Ms. Baker: Okay, sorry, I have a little trouble hearing you, but hopefully I'm answering your questions.

Mr. Cummings: Yes.

Ms. Baker: So now we're getting into the comparison of just overall Downtown Stafford with the total rezoning area. Again, the number of units in overall Downtown Stafford, 2,418 with 72 townhouses. So, your total is 2,490. Your rezoning area, I know that there's one reference where it talks about, I think 1,031 units, that that's the total maximum permitted within that and with using potentially transfer of development rights. But the proposal on the generalized development plan is a total of 700, excuse me, 979 units. So, the breakdown, if you look into the far right within that rezoning area, the County owned property would accommodate 673 three units and the JPI property, 306 total units. So that's your breakdown of the rezoning area totaling the 979 units. So again, that's leaving the remainder of just the Downtown Stafford area with the potential for a little over 1,500 units. Does that make sense?

Mr. Cummings: Yes ma'am.

Ms. Baker: And these are the renderings that were submitted by JPI for the Fountain Park project... portion of the project, and many of these, the features of the Neighborhood Development Standards have been proposed with this and are also in this Memorandum of Understanding, I keep referring to. Moving on to the potential transportation impacts for the rezoning area, the TIA, basically a Traffic Impact Analysis prepared by Stantec, which estimates a little over 10,000 vehicle trips per day. The Stantec report did not get into the full impacts on the road network and the intersections. They did not get to that level of detail.

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And that was basically because of the limitations that the County had with the contract with that, with Stantec. But I'll note in the TIA, their figures include reduced internal trips, which Mike had already touched on based on the bike, pedestrian and, and potential transit multimodal transit. The vehicle trips per day were based on land uses, including townhomes, mid-rise apartments, a bowling alley, recreational community center, general office and retail uses.

Mr. Bain: Kathy, I'm sorry to interrupt. Is the 10,000 for the total downtown or just the rezoning?

Ms. Baker: Just the rezoning area.

Mr. Bain: Okay, so That's the phase 1 area.

Ms. Baker: The total downtown area, they did include was, I think somewhere around 36,000. But that was without the...

Mr. Bain: That was what I was recalling, yes.

Ms. Baker: ... that was without any specific building...

Mr. Randall: Kathy, could you back one slide, please?

Ms. Baker: I'm sorry, go back?

Mr. Randall: Go back one slide. Sorry, the Courthouse Road, we mentioned before that we don't foresee any widening of the current Courthouse Road. Do we think that there will be a room there to do put a dedicated right-hand turn lane if we needed to come in east on Courthouse?

Ms. Baker: We actually have a project and I'm going to touch on that again in a minute, too. But while we're there, yes, there is some widening anticipated along Courthouse Road that's going to allow for turn lanes onto Route 1. Um, so I will note under the current B-2/B-3 zoning, based on the Institute of Traffic Engineers manual, the staff estimated at weekday traffic generation at a little over 8,300 vehicles per day. Again, we noted no full analysis at this time, so impacts are unknown, VDOT would be reviewing any future site plans that come in. And this just shows some of the area road improvements based on current projects and proposals, if you look at number one, the Route 1/Courthouse Road intersection, this does show right turn lane off of Courthouse to southbound Route 1 was the right turn lane off of Route 1 on to Courthouse east. There's a median, median improvements and then left turn capabilities. Number two is the Route 1 Stafford Hos... excuse me, Hospital Center Boulevard intersection. And you all recently approved the Courthouse Tracks project. So, these are improvements, including the right turn and taper at the intersection is, the timing is obviously unknown. It's based on the time of that development, but that is... will assist with that intersection. And then number three is the Burn's Corner track that you all recently approved as well, and shows other lane improvements and turning improvements along that section. Number four, this is an improvement that's going to be made with the express lane extension that's going to go from Garrisonville Road, extend down to Warrenton Road. That is in process. This area would include, that's the area of our VDOT commuter lots. And this area would have entrance and exit ramps as part of that project. So directly onto Courthouse Road, the Old Courthouse Road portion, which would obviously change traffic in that along Courthouse Road as people use that those commuter lots and the access ramps.

Me. Bain: Can we stop a minute on transportation? I'll ask a few questions. I had asked previously by email to Mr. Harvey that was there any analysis done of the impacts of the projected traffic increase on intersection movement? And he indicated that it really had not been done. I'm wondering when VDOT

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was studying for the express lanes, I'm sure they must have done an analysis of the potential increase in traffic on Courthouse Road because that's where the lanes will dumped to. And then traffic would either move over to Hospital Boulevard or stay on Courthouse to Route 1 and then disperse. It just seems incredible to me that the County has not looked at the total impact of the traffic increase on the intersections along Route 1 at Courthouse Road and Hospital Boulevard. Both intersections are poor right now, Level D, I believe. And we're going to dump 10,000 more cars just in this phase one, primarily to that Courthouse Road intersection, but 36,000 more cars a day when the downtown area is completed. And I have no idea how many cars are going to be coming off that express lane to add to it. And nobody's done anything. I know that they're proposing to add another turn lane on Courthouse Road to get onto Route 1, and they're going to widen Route 1. But I've seen no numbers to justify whether that is anywhere near adequate for what's going to happen if this development goes through. I just think that's really sad that that hasn't been more fully addressed because that's a significant impact. And if you happen to be on Route 1 this afternoon coming north, the southbound lanes were a parking lot because of closures on 95 southbound for the Truslow Road bridge, and I know time and time again that has happened where there have been accidents on 95 and boom, Route 1 becomes parking lot. And it just seems really deficient to me that this hasn't been more closely addressed and in far more detail than what we're being presented. Is there any hope that that kind of analysis will be done before the Board sees this plan?

Ms. Baker: Um, not to my knowledge. I'm going to ask Mr. Harvey if he's had any further conversations with our Public Works Division regarding the hot lanes extension. I haven't been involved in that particular project and I don't know much about it. So, I don't know if you have any additional input on that.

Mr. Harvey: Commissioner Bain, I do not have any additional input. Part of the issue has been in this area, is the new interchange, and not knowing how the traffic volumes would actually operate until it opened up. And similarly, we will have that same issue with the hot lanes until it opens up, we won't really know what the actual traffic flow in the area is going to be. There can be a lot of speculation, but that was some of the issues that Burns Corner ran into as well as the Courthouse Tracts. Burns Corner, more so because they were in ahead of Courthouse Tracts. Working with VDOT was a lot of discussion about how do you model this since we don't know how it's going to operate. So that's been part of the problem. We have a little bit of a chicken and egg situation going on in this area.

Mr. English: Plus, you had this interchange just opened up. It hadn't been opened up a year and then you had COVID hit, so the traffic has been light on Courthouse Road, so you... how do you... how are you really going to tell the impacts on around there right now?

Ms. Baker: And we can get some more information on how that... the entrance exit ramp is going to work from the commuter lot. I don't know if it's going to be restricted to the commuter lot, but we can likely get some more information.

Mr. English: Yeah, but I just saying...

Ms. Baker: On the design itself.

Mr. English: Yeah, exactly.

Mr. Bain: I can guarantee you, it won't be restricted to the lot.

Ms. Baker: I don't know.

Mr. Bain: Certainly not...

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Ms. Baker: I said I haven't seen it.

Mr. Bain: Yeah.

Ms. Baker: But we can get some more information if you all are interested in that.

Mr. Bain: Well, we don't we don't have time. I'm just commenting that it really is to me a serious deficiency in the overall analysis that has been done. And we have to make a decision tonight whether or not...

Mr. Apicella: Mr. Bain.

Mr. Bain: Yes.

Mr. Apicella: I am going to clarify, we do not have to make a decision tonight on the rezoning, item number.

Mr. Bain: Okay.

Mr. Apicella: We only have to make a decision on items on items 2 and 3.

Mr. Bain: Yeah, but they are all tied...

Mr. Apicella: (Inaudible) some additional information on transportation, you know, if we don't take action tonight, you can certainly pursue that.

Mr. Bain: Yeah, but they're all tied together, so, you know. Okay.

Ms. Baker: But you are correct. We are not... there will not be any additional analysis on the intersection impacts, because we would need to hire traffic engineers to prepare that.

Mr. Bain: Heaven forbid.

Ms. Baker: And we don't have the funds for it for that.

Mr. Bain: Heaven forbid you require developers to do that all the time. Why wouldn't the County have to do that? I mean, just because they are the County, they shouldn't be allowed to get away without it. And even... even to the point you don't know exactly how these other things are going to work, Traffic engineers are great at making estimates and putting rangers on them. That's what they do all day long. They could easily have provided some of that. And I'm sure VDOT has information on what they thought the express lanes would have generated in terms of traffic, because they have to look at intersection designs, traffic light timing and everything, so...

Ms. Baker: Yes, I'll see if we can pull more of that information from them.

Mr. Bain: I just think it's sad.

Ms. Baker: Alright, moving on to schools, as we mentioned, 979 proposed multifamily units in this downtown area, excuse me, the rezoning subject area. There are no residential units permitted under the current B-2/B-3 zoning. So, this would be an increase of that number of units. The Stafford County Public Schools has projected up to 646 students. That's actually based on the 1,030 units that is potentially allowed. But it was closer to, I believe, 604 for the 979 units. And then you'll see the breakdown across the

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elementary school, middle school and high school projected students. You all saw in the staff report, and I know this question has come up about an Economic Development Analysis that was done estimating the lower student numbers, and those were based on comparisons with other high-density mixed-use developments and the fact that they contribute fewer school age children based on fewer bedrooms. Again, the Memorandum of Understanding will show that they are limiting the number of bedrooms within the area, the within the JPI area as, at 15 three-bedroom units, 94 two-bedroom units, and then 197 one-bedroom units. So, the Economic Development analysis estimated a total of 191 students overall based on the factors that they, that they looked at.

Mr. Randall: Right, so those 191 students would just be JPI properties.

Ms. Baker: That's correct.

Mr. Randall: Correct. So, and if the JPI properties are a third in roughly 300 of the 900 that are going to be there. And overall, we would consider it to be about the same as... the overall number would be about the same as what Stafford County public schools gave us, which was roughly about 600. A little over 600 students, correct?

Ms. Baker: Correct, I think. I think I am following you.

Mr. Randall: Yes, absolutely. Okay, so, so, so it's not... the only discrepancy from the Stafford County Public Schools to this estimate, is that this estimate is only related to the MOU and the JPI properties.

Ms. Baker: Well, the MOU... just to rephrase that the MOU is limiting the number of bedrooms on their property, but that's the estimate. The estimates are 191 students, I'm sorry, are still on the total...

Mr. Randall: For the total property, right? And did they give us any basis on their analysis for that number verses, we just don't think it's going to be... we don't think it's going to be as high because there aren't as many multibedroom units. I mean we have the MOU with JPI, but that doesn't necessarily mean at all that a developer wouldn't come in and say, I want to build, you know, 50 three-bedroom apartments and the County would say sure, go ahead and do that.

Ms. Baker: But again, the County is going to have the ability to negotiate that on the county owned property. They will be able to enter into future MOUs that will dictate the numbers...

Mr. Randall: Alright. So then...

Ms. Baker: ... and potentially phasing.

Mr. Randall: ... to the county's point, then, based on the fact that you mentioned that we could negotiate those is 191 more realistic to look at or is it the 646 from this... from the school system that's more realistic to look at in regards to the overall impact on the schools?

Ms. Baker: I know you all received an email this afternoon from the schools...

Mr. Randall: Yep.

Ms. Baker: ... that Mr. Apicella forwarded to you. And they are still going with the conservative numbers that they are... that they are predicting that that's where the 646 came from. I would need to defer to or

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Economic Development staff to talk more about the analysis and how they came up with it. They didn't just throw out numbers, they analyzed it. And based on other facts...

Mr. Randall: I am sure they did.

Ms. Baker: I know we have Rick Cobert, who is, I believe still online here, if you would like to ask specifically more questions on the economic development analysis.

Mr. Randall: No, we can do that, that's fine. I don't think that's... I mean I'm more inclined to go with the higher numbers because those are the most conservative for us. But I do think that if we're going to present... when this goes to the Board, we need to decide as a county whether we're going with the 191, whether going with the 646, that is the most conservative.

Ms. Baker: Well again the 646 is the ultimate. This is the potential...

Mr. Randall: Okay.

Ms. Baker: ... but this is a different type of development. There were some comparisons made to Abberly, which also has limited numbers of one bedroom, two-bedroom, three-bedroom apartments.

Mr. Randall: Sure.

Ms. Baker: They're making the comparisons with that development, which is more the higher density style as well. And they use that for some comparisons.

Mr. Randall: Okay, thank you.

Ms. Baker: I'm sorry, okay? Alright, so moving on to the... back to the Comprehensive Plan and the compliance with the Comp Plan, as Mike had already indicated, this was in the Courthouse Planning Area, Targeted Residential Growth Area and mixed-use commercial retail on the detailed land use plan. And specifically, within the TGAs again, designated for concentrated urban high-density area development with pedestrian transit-oriented development patterns, promoting the development around the primary transportation hubs, anticipating the on and off-street parking and encouragement of structured parking, and again permitting residents to work, live, shop and play all within a small area without reliance on the automobile. And just to reiterate, the goal of the TGA is to accommodate 50 percent of projected population growth through 2036. And I'm not going to go over these because Mike already really touched on this during his Comprehensive Plan portion of the presentation, but just showing the again, the way that this development does conform with our recommendations under the new amendments to the Comprehensive Plan. Just to touch a little bit more on the parks portion of it, I know this was a topic of discussion. I see my I have a little typograp... typo there, but the types of parks within the TGAs can be active or passive and park land should be within reasonable proximity to residents, including neighborhood parks or civic uses, within a quarter mile to a half mile walking distance. The community parks actually within two miles of a targeted growth area and then district parks within a 15 to 20 minute drive. So within just the down... the rezoning area, there's proposed open space, including a .45 acre green space gathering area, the .43 acre plaza with fountain, benches, outdoor dining area, and the additional features that I showed you. And we'll note there are several other public amenities in the vicinity, including the Courthouse Community Center, which is about .4 miles away. And that would be actually accessible via existing sidewalk that's in in the area. The Embrey Mill Park, Rouse Aquatic Center is 1.5 miles to the west. And again, that does have connect... connection through a shared use path and sidewalk access to the downtown area. And the Rowser

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building is just the other one in the area. That's 1.5 miles to the south, which is our Senior Center/Park Headquarters and a ball field in that vicinity. So not walkable, but it's within easy driving distance.

Mr. Randall: So, Kathy, if I could, um, Mike mentioned in his presentation that there's 85 acres of the T... I guess it was overall TGA from 202 acres to 287 that we would need to increase as far as parks are concerned for the entire TGA. Do you know if there's anything located close, County owned land close that would meet that requirement of the 85 additional acres? Or would the county you need to purchase that land somewhere within... somewhere within the, the local area to meet that requirement of 87 additional... 85 additional acres required by the TGA buildup?

Ms. Baker: I'm not sure if... have we looked at that yet?

Mr. Randall: Sorry. I'm not sure who to ask what questions.

Mr. Zuraf: That's fine. Yeah, that was the increase in the additional build out in the Targeted Growth Area.

Mr. Randall: Sure.

Mr. Zuraf: So that's what that equated to. But yeah, that would. you know, I guess the Rouse, you know, the park in Embrey Mill, you know, that's probably... that would probably provide some kind of...

Mr. Randall: Is that not already counted in the in the current park establishment of acres required per dens... per units or per residence? Isn't that, isn't that currently counted? And if that's the case, is there, is there 85 additional acres of land somewhere close, because close as where we want it, that the County owns that would meet the requirement of the TGA buildup?

Mr. Zuraf: Right off the top of my head, I can't think of any. So, yeah, that would definitely be, I would think, segments or portions maybe of existing parks.

Mr. Randall: Sure.

Mr. Zuraf: And...

Mr. Randall: Sure, we would...

Mr. Zuraf: ... those Kathy has mentioned would probably provide some kind of park amenity and still provide some level of service...

Mr. Randall: Sure. But we would need...

Mr. Zuraf: ... abilities, but additional parks will be needed. And yeah, there, there are no specific...

Mr. Randall: Right.

Mr. Zuraf: ... parks outlined

Mr. Randall: Right, but I couldn't, I couldn't necessarily buy 500 acres down in south Hartwood that would meet the requirement of these 87 acres. Is that correct?

Mr. Zuraf: No that... we would definitely want something in a closer proximity.

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Mr. Randall: Yeah, it would need to be close in proximity.

Mr. Zuraf: Yes.

Mr. Randall: Okay, thank you.

Ms. Baker: Alright, and you all saw this little schematic once before, but again, just shows the bike/ped facilities, the existing and the dash lines in the general vicinity. And then the proposal that we would be looking at with the development of overall Downtown Stafford, including sidewalks, shared paths, the blue indicates where we would look to try and accommodate bicycles, either through bike lanes, bike shoulders, or just shared on street biking, which you're going to have your lower speed limit roads throughout this area to help encourage that. I want to talk a little bit more about the Economic Development and their analysis and their studies throughout, all throughout the development of this project. They note that Downtown Stafford is a significant opportunity for new business investment and the creation of a sense of place for Stafford. The JPI property itself would drive an estimated 68-million-dollar investment with 280 new jobs versus a 6-million-dollar investment and 100 jobs under the current zoning. They also looked at the impacts of the total 29 acres to include 534 new jobs, 28 million dollars in new wages and 1.3 million in annual tax revenue. Now, we'll talk about the MOU, this was developed prior to the Board, obviously sending these projects down to you all. It was developed between the County, the Economic Development Authority and JPI. It did include transfer of the one parcel from the county to JPI to compensate for loss of right-of-way with in the Courthouse Road/Route 1 improvements. So that parcel has already been transferred to JPI and included when we showed you the properties on the location map. The MOU establishes responsibilities of the County and JPI, it specifies the density of 50 dwelling units per acre for multifamily and a minimum .4 floor area ratio for the commercial mixed-use. And as Mr. Bain alluded to, there are no proffers associated with the rezoning. The MOU is... will help ensure various aspects of the development that will comply with the Board's strategic plan and the comprehensive plan. There are also some improvements that will be made by JPI that can help offset some potential costs. But, but there are no, as Mr. Bain said, no, no proffers that will be associated with the rezoning.

Mr. Bain: Okay if...

Mr. Apicella: Kathy, before you move on. So, going back to this school is information schools again projects somewhere between 600 and 650 students from the phase one development. And there are three schools that are impacted. Have we've done any analysis or can we still do some analysis to determine what the delta is, between what is still available and how many additional seats needed to be bought to make up the difference and what that total cost would be, absent having proffers to pay for it.

Ms. Baker: And I'm going to ask Mr. Harvey to assist with answering that question for you.

Mr. Harvey: Well Mr. Chairman, if the Commission ends up deferring this application, we would have time to look at the new information we got from the schools and compare it to what might be generated from the site and also look at potential timelines in relation to build out of the project in available seats.

Mr. Apicella: Okay, great.

Ms. Baker: Getting into a little bit more of the detail and the County responsibility...

Mr. Bain: Can I...

Ms. Baker: I'm sorry.

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Mr. Bain: Can I back up to proffers, so sorry.

Ms. Baker: Sure.

Mr. Bain: Because this this really bothers me and I know it's all been planned out, but JPI in their portion of the development, if I have the number right, is 306 residential units. If we use \$25,000 per unit for public schools, which is what we were suggesting to the Tree Haven folks, that I know it was a house regardless. That's a number that would equate to \$7,650,000 in proffers for education. Now, Mr. Harvey had provided some information about some of the things that JPI is going to do. And I have no way of knowing, but I'm just going to say, okay, maybe that's \$7,000,000 worth of improvements that the County doesn't have to pay for. But I'm looking further at the rest of the development of the downtown area. 979... or excuse me, 2,490 units total in the Downtown Stafford area at \$25,000 each, that's 62 million plus. And the way I'm understanding things, the County could be getting into MOUs with those other developers in order to get the plan the way they want it.

Ms. Baker: Only on the County owned portion of the development. The remaining Downtown Stafford outside of these 29 acres, they're going to have to come in and apply for their own rezoning. And so, the other, however many acres that is, they will be required to pay proffers for their offset.

Mr. Bain: Okay, that's what I was missing.

Mr. Apicella: So, can I spin off of that? That there was a certain path chosen here to do a combined rezoning of the JPI property and the Courthouse property... the County Courthouse area property. They could have chosen to bifurcate the two pieces because the JPI property is under a deadline, so to speak. But why couldn't the County have chosen to, again, have this concept plan and have developers choose to rezone based on that concept plan with an option to buy based on the successful rezoning of the property. Like developers do all across the county, and thereby get proffers that they're not getting under this area that we're proceeding on here.

Ms. Baker: I mean, this was a Board decision to move forward with, with this. So, you know I...

Mr. Harvey: And Chairman Apicella, if I... if I may respond a little bit to your question. The Board of Supervisors, when they consider this rezoning action, they will have the opportunity to approve it or deny it. They can also approve a portion of it. They could potentially approve the JPI portion of the rezoning and not approve it on the County's part. So, the Board, if it chose, could pursue the avenue which you were describing, where they try to market the property to a developer, if that's where the Board wants to go. But in the past, discussions though Economic Development they have been discussed that the County would have better success on attracting a developer who would pay us more money for the County land if it was zoned appropriately to begin with. So that's some of the rationale for how we're heading down this road. But ultimately, it's going to be the Board of Supervisors making the decision what they feel is best for the County as far as what gets rezoned, if anything, and how the property is ultimately disposed of.

Mr. Apicella: I don't disagree with any of that. And I guess that reinforces my underlying point, which is our leadership, our Supervisors need to have the best information and analysis available to know the trade off, an opportunity cost of going this route and losing out on proffers that somehow have to be made up in some other way. What is that number? What number do they need to recoup that from the commercial and tax revenue to pay for those lost proffers? That's the piece that I do think is missing here, because if it doesn't get paid for and at the end of the day, taxpayers are going to have to pay for it. So, I just think there's information that would be helpful to the Board for analysis so that they know what's best for them in terms of negotiating the best deal for the County. That's my opinion.

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Mr. Randall: If I could, I'm sorry. You are talking about Chairman, you're talking about adding it to the to the brief so that the Board has it on a slide? Would you recommend that?

Mr. Apicella: I'm saying its kind of what Al was talking about with regard to transportation. We've got bits and pieces of information here. It's all not tied together. We're sort of spit balling what may happen. We don't know what's going to happen other than the fact that for the Courthouse property and the JPI property, they're not getting proffers. But we know we have to buy some things. There's some infrastructure requirements that are not taken care of thus far, like additional school seats and additional Fire/Rescue station. We haven't talked about that yet, or some additional transportation that we may not have determined that we need. We haven't done that analysis to know what is a fair trade off. What are we looking for at the end of the day that at least makes us break even, that this turns out to be a smart decision by going this route rather than just doing it in the alternative way, which was, again, to let developers rezone the property with an option to buy.

Mr. Randall: Okay.

Mr. Apicella: Again, I don't know if I'm making sense here, but, I am just concerned that...

Mr. Randall: Yes, no I think I...

Mr. Apicella: ... we are potentially missing some important information.

Mr. Randall: So, let me ask a following question to that, Ms. Baker. We'll rezone all of these UD-5 and the County property, exclusive of the JPI property. The county property has six hundred and some odd units, right? 946 minus 308...

Mr. Bain: 673.

Mr. Randall: ... 673. So are we getting proffers on the 673 units.

Ms. Baker: No.

Mr. Randall: We're not.

Ms. Baker: But...

Mr. Randall: So, the total amount of proffers... okay. So, the total amount of proffers is not just a 308 JPI numbers but it's the whole 976. And so, and I don't know what the resident... I don't know what the proffers are for townhomes or for apartments. We don't do a lot of apartments. And so those are hard to define unless, you know off the top of your head what normal procedure is for an apartment.

Ms. Baker: It's different but...

Mr. Randall: It is different. I don't know if it's the 25...

Mr. Bain: Let's say it's 20...

Mr. Randall: Let's say it's not. Let's say it's 12, right? You're roughly talking about 14. I think Steven's point that is made is that you're roughly talking about 15 million dollars, including the JPI property, including the County property apartments, \$12,000 each proffer to the schools, just to the schools now.

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That's about a 15-million-dollar bogey that the County is going to have to figure out where they're getting the money from. Either we use... either we take it in compensation through building of this building, of this building, of this building of this, or we recognize the fact that to compensate for what we're doing, there's a 15 million dollar to the schools that we are losing out on. And so, I think that that message is something that we should be more definitive with in the process. I mean, I think it's a good thing that we're doing this. I just think we need to make sure that we're all clear on where we have decided to put our eggs, recognizing that now we're going to be deficient in other areas and we're going to have to figure that out

Ms. Baker: And I understand that. And again, John Holden's out of town, and I'm sure he would love to come and tell you all about a lot of the analysis that he has...

Mr. Randall: And I am sure you would love to have him explain that too.

Ms. Baker: ... and the discussions that he has had with developers that may have an interest in coming to Downtown Stafford. And with that, as they market this property, if it, let's just say, it were to get zoned and now they have something to go out and market and, and reach out to potential developers. Then again, they are going to have that opportunity to enter in additional negotiation, which may include providing some of these public impacts, mitigating some of these public impacts. So, there is...

Mr. Apicella: I don't see how that is possible under the proffer legislation. These are offsite impacts.

Ms. Baker: It won't be the proffer...

Mr. Apicella: So, the only way you could do it is do proffers.

Ms. Baker: It won't be under proffers.

Mr. Apicella: I don't believe, and Lauren can chime in if I'm wrong. I don't believe you can have a workaround to get off site proffers through a MOU, so it's a tradeoff. You're getting something else in lieu of those proffers, additional road entrances, exits, buildings that you might not otherwise get on the site. But they're not going to buy a school seat. I don't see how that...

Ms. Baker: No, I wasn't, I wasn't indicating that. I just meant other things, such as in a public private partnership where they build something that is... the County is not going to have to pay to build something. So that's going to take away from what the County is ultimately paying for something. So that was, that was my only point.

Mr. Harvey: Yes, Mr. Chairman, as Mr. Baker is stating, essentially the MOU is a purchase agreement. People are referring to proffers, but if the Board structures the purchase agreement in such a way, the purchase agreement could be that the purchaser pays "X" dollars for certain... to the County and the County can decide how it doles out that, that revenue that we get from that land. So ultimately, it's going to be the Board's decision as to whether they feel that the purchase price and what the County is getting for as far as offsets is advantageous to the County. But then ultimately, if the County does get cash from that sale, it's going to be the Board's decision. Are they going to put it towards schools or are they going to put it towards fire and rescue or where in the County's CIP is, as Commissioner English was saying.

Mr. Cummings, Yeah, and I think that the point that Commissioner Apicella and Mr. Randall... Commissioner Randall are making is that the impacts go far beyond just one or two, and there's going to be short fall. And that's just looking like this first phase. I don't think that we have sufficient data in order to make the full analysis of traffic, the hydrology, the (inaudible) mitigation in order to make an informed decision about exactly what it's going to cost us now and without question, in the future. So, because we

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haven't even talked about the fact that there is other plans and approvals that are going on in the county. So, I think that, you know, the point is well taken, all, all, you know everyone has made great point. And I think the, the fact that these applications or these permits are sort of bundled together, makes it a little bit more difficult for us to decide. I know I do certainly.

Ms. Baker: Okay, ready to move to the next slide and talking about the County responsibilities. Who would be responsible for designing and constructing the four site entrances, the public site entrances. Designing and constructing the grid street one, which is a north/south connector that's just at the western edge of the JPI property. Providing a temporary parking lot on the County site, and JPI would be allowed to use this for shared parking. And the County would also do any wetlands mitigation on that particular parking lot. The County would provide the future permanent parking structure. Again, no details at this time, but it could be a public/private partnership. It could be a multitude of ways that that structure would get built. The County would be responsible for supplying the water and sewer lines to the Downtown Stafford boundary and the JPI site. And then, as you already knew, pursuing the rezoning and comp plan applications and the zoning text amendments to accommodate the rezoning. With regard to JPI responsibilities, they would design and construct the grid street number two, which is south of their property. A portion of this is off site, so that portion would not be constructed until future development... or potential development of that property. The utilities would be provided including water, sewer, electric fiber and stormwater sized to meet the downtown... overall Downtown Stafford needs. They would clear and grade the temporary parking lot by July next of next year. They would remove any additional buildings not scheduled to be demolished within the widening project. And they would conduct a wetlands inventory, including the streams and resource protection area. They are also to install the Fountain Park at a minimum square footage, 10,000 square feet and provide signage prior to the occupancy of the third building. Continuing on those specified development in accordance with the generalized development plan. They would require a mix of commercial, including eating and drinking establishments, outside dining, office, retail, open space and residential. Up to 309 residential units, which we talked about the numbers of units and no less than 30,000 square feet and office space to the County. The MOU includes timing of the commercial development, with 10,000 square feet being constructed of commercial prior to the first residential occupancy permit and then an additional 10,000 square feet prior to the 150th and an additional prior to 250th OP. It would also require sidewalk, street trees, landscaping and benches, requiring the architectural guidelines to be complied with and requiring the buildings to be hard wired for broadband communications and also including the Smart City Allowance, which Mike already talked a little bit about that with the Virginia Smart Community Test Bed. So, getting to the staff findings with the positives of this project, it's consistent with the Land Use recommendations in the Comprehensive Plan, conforms with the new Downtown Stafford Land Use Concept Plan and the UD zoning requirements that meets priority 5. of the Board's strategic plan regarding development of Downtown Stafford. It also meets goal 7 of the Economic Development Strategic Plan, showing this as a priority focus area. The MOU will ensure certain infrastructure and improvements are completed and development would be consistent with design standards. And note that the Board has control over the future development of the 23 acres of County owned property and will be able to negotiate improvements with potential developers. Our negatives are the transportation impacts have not been fully evaluated and are unknown at this time. And we also note that the deficiencies based on the school project's projections. Staff is recommending approval of the rezoning application, subject to approval of the concurrent comp plan amendments and zoning text amendments. The approval would provide a catalyst toward development of the Downtown Stafford area. And we'll note that the deadline for action is July 2nd based on our standard requirements for the timeline for the rezoning application. We do have a contractual obligation with JPI for action on their portion of the property by July 9th, and staff would recommend that the Planning Commission take action, at least by their May 12th meeting on the rezoning to allow time for the Board to meet their timeline. Their last Board meeting for action would be July 6th, prior to that contract deadline of July 9th. So I think that's all that I have for now. I know that's a lot.

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Mr. Apicella: Thank you Kathy.

Ms. Baker: But we're all here to answer additional questions or try to that you all may have.

Mr. Apicella: Okay, what's the best way to handle this since we had three different items? Do we want to just the questions across the board or do we want to take up each item separately for questions? Do we have any questions?

Mr. Randall: Yeah, I don't have any more, I think we've got them all through the process.

Ms. Barnes: Steven, I have a question procedurally. So, this last one, which was one, was which item one, two three, was item four, right? That that has a much later due by date than the other two. But they're so intricately tied together, you know, if we don't do...if we vote, let's just say, if we voted today for one and two not to recommend it, wouldn't that make the other one moot?

Mr. Apicella: It doesn't make it moot. We have to make a recommendation. If we don't make a recommendation, then it's presumed that that it's good to go. So, we either have to vote yay or nay on the text for the comp plan amendment item 2. Yah or nay on the Zoning Ordinance changes, item 3. And we can either decide to proceed forward and make a recommendation on item 4 or hold off until we get additional information and questions answered. I don't know that the Board's going to get it all at the same time. Maybe Jeff can chime in. I don't know how they're going to receive it all, whether it's going to be one fell swoop or piecemeal. Jeff, what do you think would happen?

Mr. Harvey: Mr. Chairman, I've had some discussion with the County Administrator's office with regard to that question. And the County Administrator's office believes the Board would want to, like the Planning Commission, consider all these items at the same time. That's part of the reason why staff had recommended that the Commission act on the rezoning by your May meeting at the latest.

Mr. Apicella: No, I am with you, but we don't have that luxury. We have to make a decision on the first two, items 2 and 3 today, right?

Mr. Harvey: That is correct.

Mr. Apicella: So, we couldn't send it all at the same time. Our only choice is to either, again, make a decision on item 2 and 3 tonight and include item 4 as well, or defer on item 4, which in my personal view would be my preference until we get some additional information. But again, I just throw it out to the Commission members to, to see how you all would like to proceed. I would just also say again, for item 2 and 3, and Ms. Lucian can chime in as well, the items have been advertised, we can't make any changes that are more restrictive. We can only make changes that are less restrictive. Have I captured that correctly Ms. Lucian?

Ms. Lucian: Yes, you did.

Mr. Apicella: So, that's kind of where we are. So, let's go to item 2 for now. Any further questions on that one? How would folks like to proceed on item 2?

Mr. McPherson: Mr. Chairman?

Ms. Lucian: Don't forget you have a public hearing.

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Mr. Randall: Do we have a public hearing on these, Mr. Chair?

Ms. Lucian: You need to open that up.

Mr. Apicella: Oh, you're right. We do have a public hearing. My fault. Alright. So, I'm going to open up the public hearing on all three of these items. Again, this is an opportunity for the public to comment on these collectively. Before starting your comments, please state your name and address. The clock starts when the green light appears, yellow means there's one-minute left, red means your time is up. So, if there's anyone in the chambers who would like to address one or all three of these items, please come forward now.

Ms. Knight: Good evening, my name is Jo Knight. If it's a must that we crowd my office with all these buildings, I think that to have condominiums as opposed to apartments is a better idea. People who have an ownership interest in properties, can be given opportunities for reasonable housing because you can do the mix there with both. And they also bring more revenue to the county. And I think, I think it's a wiser approach. I began to feel like I'm going to be surrounded with 18 wheelers in the center section and apartments and probably the highest and best use for my office, celebrating its 50th year this year with me, might be a brothel upstairs and downstairs, return that to a nightclub or something, used to be in the hotel. Okay. I am, I'm a little concerned. I was attacked once in my parking lot and I have been a little uncomfortable. They put a sign out front of my building because of that, so I wouldn't have to park in other areas. Thank you.

Mr. Apicella: Thank you Ms. Knight. Is there anybody else in the chambers who would like to speak?

Mr. Bain: What's the zoning classification for a brothel? I can't remember.

Mr. Hicks: Good evening Chairman Apicella and the members of the Commission. My name is Jay Hicks. I'm Director of Community Relations for JPI, or Jarrell Properties, the proposed developer for Fountain Park in Downtown Stafford. I have some brief comment that I want to share, but I also want to compliment the bodies and staff. This has been a project that we have been working on for in excess of two years. The culmination of the complexities is what you're fighting with tonight, that we have worked through with the Stafford County staff. And they've been amazing, we came to them with a completely different project. We were proposing five, what we call medical office pods that would have been 6,500 square feet each. The staff shared with us this vision that Stafford County had for a Downtown Stafford. We bought into it and we invested our time and our energy into pursuing that vision. That is what you see as far as Section 8 of the proposal that is before you tonight. In doing so, again, the staff was just instrumental in making sure that we stayed focused on the on the ball and tried to work through all these difficult issues. And it's been amazing, and we think that we've presented a great project to Stafford County that will really kick off what will be Downtown Stafford. We think that we're going to bring will be an asset that will help the EDA market, what they want to bring to Stafford County in this area. I also want to compliment the Board because they stayed committed to the vision. This vision for Downtown Stafford has been in excess of two decades in the making. And for them to diligently approach this MOU that you've now heard about in detail is a testament to them and the effort that they've put into it and committing to the citizens of Stafford County. And you as the Commission need to be complimented as well, because not only on this issue, but the community is watching you guys and you guys are facing some very difficult and controversial issues. And I want to tell you that you should be applauded for not kicking the ball down the street, so to speak, not passing the buck, but taking the bull by the horns and trying to diligently do your job. And so, for that, you should be commended as well. Now as far as the project itself, it's complex. And that's some of what I see you guys struggling with this evening. But the effort over the last two years has been to simplify it. And MOU is that effort to simplify our participation in the Downtown Stafford project. Inside the MOU, you deal with rezoning, a property exchange, street disbursements, parking, utilities, building construction, the

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smart cities phase concept for the for the area and a potential lease. So, it is complicated, but it's not. But it is, it is well put together and concisely put together now to go forward as a project. And we are asking you, as far as my commentary, to approve items 2, 3 and 4 this evening. And we do think that the effort has been to bundle them together, to try to avoid some of the complexities. I imagine that if we break these things up, it only gets more severe, so severely complex and harder to, to deal with. There were a couple of things that have come up over the course of the evening that I wanted to try and address. In particular, Commissioner Bain was asking about open space on the project itself and asked about a tot lot or sand lot and things of that nature. In addition to our limiting the number of three-bedroom apartments in this facility, mainly first... one- and two-bedroom apartments, we don't want to have amenities for children. Our goal is to have a desirable location for people that are pre and post children to live and work and play. So, you won't find a large number of the three-bedroom apartments. You're not going to find those things that we think are going to make people with children want to live here. As far as some of the EDA analysis, as far as students is concerned, I'm the source of that. Now, the source of the analysis. But the source of the information is the Stafford County School Board. I personally discussed this issue with them. They provided numbers to me about Abberly apartment complex, which is a comparable location, and their numbers were grossly different. Grossly different may be overstated, but they were different, if you'll forgive me, they had projected numbers for the 20, excuse me for the 2019-2020 school year of 21 elementary students in actuals for 2019-2020, they had 13 elementary students. They had projected seven middle school students, they had six, they had fourteen high school students projected they only had eight. So that's where the analysis came from. We took the, the application of the product that we will be modeling ourselves after to a large extent. This higher end adult, pre and post child living facility, and the implication that it's not going to have a whole lot of children in it, and so that's the matter of which we continue to contend today.

Mr. Randall: Yep, if you could wrap up your comments for us.

Mr. Hicks: Excuse me.

Mr. Randall: If you could wrap up your comments.

Mr. Hicks: Absolutely, I am sorry. Thank you.

Mr. Randall: No...

Mr. Hicks: I am an attorney by trade and I get wound up.

Mr. Randall: You have the red light, but as a part of this whole process, you know, just, just wrap them up.

Mr. Hicks: I think that's pretty much wrapping it up. I appreciate the complexity of this. A lot of work has gone into bringing it to where it is today. The interview is a critical instrument, I guess. Can I address the proffers just really quickly? (Inaudible) in a sense because it doesn't... it's not what... we don't miss the idea that there's no proffers available going forward on our particular part of the project. We have bake them into the, the MOU, if you will. We have the land exchange, we have road construction. We're talking about exchanging dirt and gravel. We're talking about shared parking. Those are the things that you could assume that you would see in a proper form somewhere later down the road. We just done it on the front end. The proffers, I think as far as the County is concerned and their portion of the development is available still as going forward. Once the people come forward, once they mark those people to come to Stafford County, those people apply for the benefits. That's an opportunity for you guys to attach those proffers and deal with those as they come online. But again, we have addressed as best we can, those concerns within the MOU. But thank you for listening me.

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Mr. Randall: Thank you very much.

Mr. Apicella: Thank you. Is there anybody else in the chambers who would like to speak? Mr. Harvey, did we get any written comments?

Mr. Harvey: Yes, sir. We had one written email that came in today and I'll proceed to read it. It says to Stafford County Planning Commission, I'm Joe Brito of West Rocky Run Road. Please enter this comment into the public record. I'm opposed to Stafford County being the applicant for the residential rezoning of the JPI development property to allow 309 residential units on 6 acres without proffers. The county has never been the applicant for a developer for a rezoning, residential rezoning in the past. No developers in the last 30 plus years have applied for a residential rezoning without providing profits to offset the impact on schools or public safety. Almost all the residential rezoning during that time period also provide park proffers. The average residential proffer for multifamily units is between 6,000 and 8,000 dollars per unit at \$6,000 per unit, the county is letting the developer off the hook for at least 1,854,000 dollars in proffers and setting a precedent for future residential rezonings without proffers. The County is actually spending more money on infrastructure than the JPI development is spending to build 309 apartments/condos. An article from last year stated that the JPI development was investing 9.6 dollars in the project. The county is spending over 18 million for 6-turn lanes on US Route 1, some of which are to accommodate the rezoning. In addition to the development, excuse me... in addition to the 1.8 million proffer giveaway, the county has agreed to build 275 parking spaces for the JPI development on County owned land. The County shall pay for planning, clearing, grading, stormwater management and development of Downtown Stafford. The County shall build a new grid road for the project and build four new entrances for the project, on three different sides. The County will pay \$150,000 for wetland mitigation. All of these costs are going to put on the taxpayers back with little return. Why are the Supervisors committing millions tax dollars to the JPI developer? Why is the County starting a precedent by rezoning the parcel for the developer? Why doesn't the JPI developer apply for a rezoning with proffers? I strongly believe the taxpayers are getting ripped off so no developer will make a windfall profit. I'm also against the County's land to be rezoned for residential use. 22 acres time's up to 55 units per acre is 1,210 units without profits. That should be valued at 7.26 million dollars. I believe the project is to residential dense and that the commercial space will be minimal. It'll be up to future Boards to decide on what to do with the land. But it's clear that the County is moving in the direction to rent office space rather than build County owned buildings, which is a big mistake. The traffic impacts to Downtown Stafford will not be mitigated and I believe will lead to a traffic nightmare. The County needs to get the infrastructure built first, before they grease the skids for more residential projects. Please stand up for the taxpayer and deny the residential rezoning. Thank you, Joe Brito.

Mr. Apicella: Thank you Mr. Harvey. Again, there's no other comments that we're aware of?

Mr. Harvey: No, sir.

Mr. Apicella: Alright, so what I am going to do with the Commission's indulgence, I'm going to close the public hearing items 2 and 3 and potentially close it on item 4, contingent upon what everyone would like to do on that one. So, going back to my earlier comments, how would everyone like to proceed or is there a motion on item number 2?

Mr. McPherson: Mr. Chairman, I was going to make a motion on item number 2.

Mr. Apicella: Okay,

Mr. McPherson: I move to... okay, I move to propose... agreement to the proposed resolution R21-46, the amendment to the Stafford County Comprehensive Plan.

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

Mr. Bain: Can he restate that? I'm sorry,

Mr. McPherson: Did I read it incorrectly? It's a proposal to amend...

Mr. Apicella: I think you are making a motion to recommend approval of the amendments to the Comprehensive Plan associated with Downtown Stafford. Is that correct?

Mr. McPherson: I said approval, not disapproval.

Mr. Apicella: Yeah, I said approval.

Mr. Randall: Who seconded? Alright, I'll second that.

Mr. Apicella: Alright, thank you, Mr. Randall, any further comments on your motion to recommend approval Mr. McPherson?

Mr. McPherson: None, thank you.

Mr. Apicella: Mr. Randall?

Mr. Randall, No, thank you.

Mr. Apicella: Anyone else? Okay, on the motion recommending approval to the amendments to the Comp Plan for Downtown Stafford, proposed resolution R21-46. How do you vote Mr. Bain?

Mr. Bain: No.

Mr. Apicella: Ms. Barnes?

Ms. Barnes: No.

Mr. Apicella: Mr. Cummings?

Mr. Cummings: No.

Mr. Apicella: Mr. English?

Mr. English: No.

Mr. Apicella: Mr. McPherson?

Mr. McPherson: Yes.

Mr. Apicella: Mr. Randall?

Mr. Randall: Yes.

Mr. Apicella: And Mr. Apicella votes aye. The motion fails. Do we need to take another vote Lauren?

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Ms. Lucian: Only if you feel like it's necessary to send a message to the Board. This is a recommendation that it's failed, so it's up to you.

Mr. Apicella: So, would someone like to make an alternate motion recommending disapproval?

Mr. Bain: I don't know if we need.

Mr. Apicella: Anybody?

Mr. Bain: ... we need to do that. If we don't approve it, it fails.

Mr. McPherson: Yeah.

Mr. Apicella: It does, but I think depending on the folks who voted against it, it depends on how strong a message you want to send. I'm happy just proceeding forward, indicating that the motion failed. And I just threw it out there to see how you all want to proceed.

Ms. Lucian: It's not a legal requirement to do this. I just made the recommendation that if you wanted to send a message to the Board that you are disapproving you can make that motion, but you don't have to.

Mr. McPherson: I think they're going to get the message.

Ms. Lucian: I got you.

Mr. Apicella: Okay, so again, that motion recommending approval fails by 4 to 3. Item number 3 amendments to the Zoning Ordinance, Urban Development District for Downtown Stafford. Is there a motion?

Mr. Randall: Yeah, I'll make a motion that you approve the Amendment to the Stafford County Comprehensive Plan... I'm sorry...

Mr. Apicella: No...

Mr. Randall: I'm sorry, I'm sorry. I make an amendment to approve the amendment to the Zoning Ordinance.

Mr. McPherson: Second.

Mr. Apicella: Okay, so there's a motion recommending approval of the Amendment to the Zoning Ordinance for Urban Development Zoning District for Downtown Stafford, proposed Ordinance O21-10 made by Mr. Randall, seconded, I think, by Mr. McPherson. Anything else to say, Mr. Randall?

Mr. Randall: Only the fact that, you know, this is one of those things where... is 60/40 good, is 70/30 good, is 80/20 good? You know, I think this has great potential. I think this is a wonderful thing for Stafford. Do I think there's some tweaks that need to be made? I do. I don't think it's exactly what we want, but I do think it's a, it's a great step in the right direction. And I hope that, you know, at least I will be making some efforts to, to my Supervisor to make sure that when this gets to the Board that those tweaks are made. So, I think it sends a better message, but I think this is a great step in the right direction. Thank you.

Mr. Apicella: Thank you, Mr. Randall. Mr. McPherson.

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Mr. McPherson: Nothing to add. Thank you.

Mr. Apicella: Anybody else?

Mr. Bain: If I could, please.

Mr. Apicella: Sure.

Mr. Bain: The problem I have with this, there are several fronts. First is I have heard over and over again that the Board of Supervisors, Stafford County does not want to end up looking like Fairfax County. And in the documentation, that's been provided, the examples of similar developments have been Fredericksburg, Arlington and Reston. Now Reston maybe would look like this. This is not Fredericksburg. This is much more dense than Fredericksburg and also Old Town Arlington. Um, I also have the problem that the County Supervisors just voted to down zoned agricultural land because they want to keep the county more rural. This is so hypocritical to then turn around and propose this. I know this has been on the books for a while, but for the Supervisors to have taken that position with Ag land and then be offering this as a fantastic development proposal to me, it's somebody's monument to themselves. So, I can't support this. I, I was going to last week, I would have, um, I, I sat in on the meeting because Mr. Fillmore could not attend with the Economic Development Authority, and I said, yes, I support it, but the more I think about it, the more of a boondoggle it's going to be, the more it's going to put... impose costs to the county residents because of these proffer issues and other things. It's going to create a tremendous traffic problem. Just imagine 36,000 more cars a day just from this little 29-acre area hitting Route 1 or the 95 interchange. It's going to be just, just miserable. So, I'm not going to support it. Thank you.

Mr. Apicella: Thank you Mr. Bain. Anyone else?

Mr. English: Yes.

Mr. Cummings: Yes. Go ahead.

Mr. Apicella: No, I think you are up Mr. Cummings. Go ahead.

Mr. Cummings: Okay, yeah umm... so, Al makes great points. And I think that in order to (inaudible) struggling with to approve or not approve. I want the development. We need the development, the challenge I have is the information there. I think we are sort of a dog with a bone about that. I think if we have access to the tools within the County and great opportunity for the public/private partnership. I think that the zoning or the rezoning for the higher density is we can't get away from it. I think that, that we just have to find ways to get the data in order to make smart decisions and to connect the concept plan with a small area plan, which is a little more detailed and data driven. And then also with the Targeted Growth Areas. So, I am supportive of the rezoning. I'm not... and I think that we have some work to do in order as a County to be able to grow smart.

Mr. Apicella: Alright, thank you, Mr. Cummings. Anybody else want to speak on item number 3?

Ms. Barnes: Steven, if I could just chime in for a second. One of the things that initially enticed me about this was when we heard that when we increase this kind of density and we created downtown, that this is going to take pressure off of the suburban and rural areas for that development. And in thinking about that, I just... I wish that were the case. I don't think it is. It's what, what does Steven call it, apples and elephants. I don't think that this is going to do anything to take that pressure off of the areas of the of the County that

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are, are really stressed and over developed. If it did, I would be more supportive of it. But I just don't think that that's going to... it's going to work out like that. Over.

Mr. Apicella: Okay? Thank you. Anyone else like to chime in?

Mr. English: Yeah, I do Steven. I'm going to vote against this also because I'm kind of on the same lines with Mr. Bain and Ms. Barnes. But I think the traffic is... first thank staff or what they did. You did a fantastic job and all that. You did a great job on this, but I am very, very concerned with the traffic. And I don't see anything coming out here on Route 1 is... I don't see that getting wide and I don't see another feeder road for it to go. You can get a go to 95 and Route 1. And when you have traffic accidents on 95, it's happened this week a couple of times is backed up and also, I think apartments are wrong way to go. And I'm kind of with what Ms. Knight says, I think the, the condos would be a better, better resource for that because I think that people would have a buy in. But I think if the traffic is going to be horrendous, if we do this, that little part. So that's why I'm voting against this.

Mr. English: Alright, thank you, Mr. English. Alright, so there's a motion on the floor recommending approval of the proposal O21-10, Amendments to the Zoning Ordinance, Urban Development Zoning District for Downtown Stafford. Mr. Bain, how do you vote?

Mr. Bain: No.

Mr. Apicella: Ms. Barnes?

Ms. Barnes: No.

Mr. Apicella: Mr. Cummings?

Mr. Cummings: Yes.

Mr. Apicella: Mr. English?

Mr. English: No.

Mr. Apicella: Mr. McPherson?

Mr. McPherson: Yes.

Mr. Apicella: Mr. Randall?

Mr. Randall: Yes.

Mr. Apicella: And Mr. Apicella votes yes. That motion carries 4 to 3. Alright, so what's left over is the rezoning piece. That's item number 4. Again, I purposely left the public hearing open, but I'd like to hear some feedback before anyone makes a motion, just to generally get a sense of whether folks would like to continue to have discussions on this or they would prefer that we just move on.

Mr. English: I'm going to ask that we go ahead and move on with it. I think they've got... the staff has got enough questions that we had to answer. And I think the MOU is probably going to be the key to this thing. So, I'm going to make a, I won't make a motion right now and let somebody else...

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Mr. Apicella: I am going to ask you not to make a motion yet. I just like to...

Mr. English: Yeah, like I said I am not going to make a motion. That way we can hear more comments.

Mr. Randall: So, Chair... Mr. Chairman. Either way we go, I think it's important that if we decide we want to leave the public hearing open, that staff feels like they have clear, definitive tasking, tasking is the wrong word, move ahead, go ahead, so that they know what they're looking to bring back to us. I don't want to rehash, you know, the 25 things that we talked about today. And redo the questions. I'd like to, to kind of narrow our further focus on those things that we had questions on. So, I would offer that if staff feels like they are not sure on what it is exactly that we're looking for, that we clarify that before we move on and close... either close the hearing or leave the hearing open either way. But I want to make sure that we're okay with staff and staff's good with, with what they're looking for.

Mr. Apicella: And that's a good point, Mr. Randall. So, so my thought process was, I still think there's some information that we need to make an informed decision here. I kind of alluded to it, in both my question to the school system, the response back and sending it to everybody, I'm not quite sure I agree with the analysis that was done. With all due respect to our great friends in the Economic Development Department, I think that our Supervisors need the best information possible, the latest information possible to know whether this is a good rezoning package. And at the end of the day, they're going to get what they want and need. And part of that decision analysis, in my opinion, is that they need to know what offsets do they really need, what are the tradeoffs and what are the offsets. And as I said earlier, at what point do they break even so that this makes sense and that we aren't burdening taxpayers with what would otherwise be unfunded proffers. So that's part of what I'm looking to, to still get here. And to the extent that other folks have questions on transportation or fire and rescue or parks, I mean, I could certainly bring that up.

Mr. Randall: Absolutely. So, if other, I would recommend that if other Commissioners have specific questions that they have or specific things, they would like to have further information that they develop that for the, for the, for staff.

Mr. Harvey: Mr. Chairman.

Mr. Apicella: Yes.

Mr. Cummings: (Inaudible), go ahead.

Mr. Harvey: Mr. Chairman, from a staff perspective, staff would prefer the Commission closed the public hearing. And if the Commission wants to wait to hear additional information from staff, the staff would bring it back at a future meeting. From the perspective of a public hearing, the application will not be changing because there's no proffers that are going to be negotiated. There's nothing that's going to change in the overall aspect of the application. There will be additional information that will inform the Commission for your recommendation. But again, the application won't change. There won't be anything for the public really to comment on other than other people would have the opportunity to come and speak if they didn't come today.

Mr. Apicella: Alright, thanks for that context Mr. Harvey. I'm just going to call people out, Mr. McPherson, do you have any thoughts on this?

Mr. McPherson: No, no other comment or thoughts.

Mr. Apicella: Okay, Mr. Bain?

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Mr. Bain: No, I concur with Mr. Randall that we should give clear direction to staff to generate some additional information. I have no problem with closing the public hearing. So, I would say... yes, I do. Do you want me to...

Unknown speaker: Yes.

Mr. Bain: Okay, I would like and I understand, Ms. Baker, about the complexity of trying to do additional transportation studies, but at least I think we should contact VDOT and see what kind of estimates they may have generated for the high occupancy lane movements onto and off of, um, at the new interchange they're going to develop. I would like to get as Mr. Apicella... Chairman Apicella said, some more information on the unfunded proffers, some summary information to show exactly what the burden on taxpayers will be to offset the increased facility needs for schools, for parks, for public safety, so that we, we have a clear picture of what those dollars are going to be. On the schools in terms of estimates of students, while JPI made an analysis, I've not seen the details of that analysis. I'd either like to see that with the background data or have County staff do a separate estimate with whatever numbers staff feels are appropriate. And on the parks, as, as Mr. Randall said, take a look and see if there are areas inside the TGA that might be appropriate for an 85-acre park and give us some information on that line. I don't think we can use existing parks as an offset to the new requirement that will be generated. So, we need to find areas that the staff or that, that the Supervisors could very quickly start considering acquiring to meet the requirements that have been generated. So, I think that's all I had. That's all I had some notes on.

Mr. Apicella: Thank you, Mr. Bain. Ms. Barnes?

Ms. Barnes: I think we should close the public hearing tonight, definitely, and I'm ready to vote tonight, but if, if the others on the Commission want some more information, it doesn't hurt, I'm fine with that.

Mr. Apicella: Okay, thank you. Mr. Cummings?

Mr. Cummings: Yes. I want to first thank Jarrell Properties, because I think, you know, they've come to, that they've come to the table and they've really stepped up and tried to partner with the with the County. And for that they should be applauded. I think our staff has also done an amazing job, on what they have. I think that there are some other tools that we have in our tool kit, in terms of GIS, our technology that we have in house, but we have limitations and that was eluded to (inaudible) Stantec limitations as well. The small area plan show the amount of granularity that's possible. And I think that it's incumbent upon us to be able to try and get (inaudible) or to get the tools that they need to be able to fully provide us the full information that they that we need in order to make a decision. And the Board need to know to make a decision and for JPI to get the full benefit of the (inaudible) that they put up, that they've articulated and to really think about what EDA is saying to them. They will be able to provide for other companies that they are marketing to. So, simply put it's the GIS data (inaudible) technology that will allow us to analyze the complexity of this problem, the traffic, the schools, impact on our infrastructure, waste and even climate and the flooding risk. I think we can do it here. And I would encourage more conversation between JPI and the County to see if we can get to a true public/private partnership and trying to get the data that is needed.

Mr. Apicella: Thank you, Mr. Cummings. So, I heard a consensus to close the public hearing. So, I'm going to do that now, on item 4, and leading the witness here a little bit, is there anyone willing to make a motion to defer item 4 to the next meeting?

Mr. English: I...

Mr. Apicella: To give staff a chance to give us some more information along the lines that we've discussed.

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Mr. English: I will, Steve, and I'll make a motion that we defer it. Do we need to date for the deferment or we just... because I think they've got to have it by May... what was the May date?

Mr. Apicella: Right. So, we can we could defer until the next meeting and then just see where we are from there.

Mr. English: Okay? That's right. I make a motion that we defer this RC21153698, defer it to our next meeting and also recommend, like you said, close the public hearing.

Mr. Apicella: Yeah, I've done that, closed the public hearing. Is there a second to the motion to defer?

Mr. McPherson: Second.

Mr. Cummings: I will second it.

Mr. Apicella: Okay, I'm going to give that one to Mr. Cummings. Even though he was a little later than you, Mr. McPherson. Okay, so there's a motion to defer item 4, RC21153698, reclassification Stafford County Board of Supervisors Courthouse Property to our next meeting. Mr. Bain, how do you vote?

Mr. Bain: Were you going to ask for questions first?

Mr. Apicella: I can do that.

Mr. Bain: I don't know if anybody just... I thought maybe it would be appropriate to ask staff if they think two weeks is adequate to do the analysis. Oh, we can just keep deferring. Okay, never mind. Then, then I vote aye.

Mr. Apicella: Yeah, that was kind of my thought process. If we aren't where we need to be or they, they can provide us information on an interim basis between now and when it is our deadline in May if necessary, then we can work toward that end.

Mr. Bain: Okay, so fine. I vote aye...

Mr. Apicella: Okay, 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: And Mr. Apicella votes yes. I appreciate everybody's indulgence and patience on that one. Alright Mr. Harvey, items 5 and 6, is anything you need or want to say on either one of those?

UNFINISHED BUSINESS

5. 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) (BOS Deferred)**

Mr. Harvey: Yes. Thank you, Mr. Chairman. Regarding item number 5, staff has provided a handout to you all. It's a copy of the Ordinance that the Board of Supervisors passed on March 2nd for the Healthy Growth Initiative. Basically, the outcome of it was that the Board established a 6-acre gross density for the A-1 Zoning District and retained the existing minimum lot size requirements for 3-acre lots in the conventional subdivisions and one and a half acre lots for cluster subdivisions. So, in essence, with the 6-acre density, a property owner would need to have at least 12 acres in order to subdivide the land, they would have options on the size of the lots that they could create so they could create a smaller 3-acre lot and have a 9-acre lot that's a little larger in size or create two 6-acre lots or any derivation of that sort. Also, with the cluster development, again, they could have 1 ½ acre lots and minimum of 50 percent open space, but again at the 6-acre density. So, Mr. Chairman, since item 5 has been a carryover on your agenda, staff asked for guidance as to whether that should continue to be on the agenda or come off since the Board has taken action.

Mr. Apicella: I think it's probably appropriate to take it off future agendas at this point in time.

Mr. Harvey: Thank you very much.

Mr. Apicella: Anything on number 6?

6. Amendments to the Zoning Ordinance - Amend Stafford County Code Sec. 28-25, "Definitions of specific terms," Sec. 28-35, "Table of uses and standards," and Sec. 28-39, "Special regulations" in regards to cluster development regulations. **(Time Limit: May 30, 2021)**
(Authorize for Public Hearing by: April 28, 2021)
(Potential Public Hearing Date: May 26, 2021)

Mr. Harvey: Mr. Chairman, I have had some discussions with Mr. Randall and we'll be awaiting whether or not there's a specific date for a future committee meeting.

Mr. Randall: We set up for the 7th of April, which is Wednesday following the first meeting of the Board of Supervisors, depending on... And so, we will then use the Board of Supervisors actions on the 6th to determine if there's a need for a meeting on the 7th and then if there's any further action required.

Mr. Harvey: Thank you.

Mr. Apicella: Alright, thank you, gentlemen. Moving on to item number 7, Mr. Harvey.

NEW BUSINESS

NONE

PLANNING DIRECTOR'S REPORT

7. R21-37 Exempt Family Subdivisions from A-1 Density Requirements – *BOS Referral*

Mr. Harvey: Mr. Chairman, when the Board of Supervisors took action to adopt Ordinance for Healthy Growth, they referred an issue to the Planning Commission for the body to work on, and that was potentially to exempt family subdivisions from the new 6-acre density requirement. So, staff would seek some guidance from the Commission as to how you want us to proceed with regards to this. Would you prefer staff come back at your next meeting with a straw man draft ordinance, or would you prefer to establish a committee and start in that direction?

Mr. Apicella: I think it prob... my sense is, the Commissioners can chime in as they feel appropriate. But I think a straw man would be a helpful starting point. Let's see where we are once we get it. If we need to create a subcommittee, then we'll do that. Otherwise, we might be able to do it just at the full Commission level. Folks feel like that's a good way ahead?

Mr. McPherson: I do, but do we have a deadline though?

Mr. Randall: I am in concurrence with that.

Mr. McPherson: Is there a timeline?

Mr. Bain: Yeah, that's what I was going to ask.

Mr. McPherson: That might make a difference.

Mr. Randall: We need to have authorized a public hearing. I'm sorry for this one.

Mr. Harvey: In this case, the timeline is 100 days from the from tonight.

Mr. McPherson: Okay, then I agree that a straw man presentation than a subcommittee if needed. We have time.

Mr. Apicella: So, we do need to take a vote on that, I think a consensus that that's the way forward unless there's vehement opposition. Alright, moving on to the next item, item number 8. Someone want to brief that up?

COUNTY ATTORNEY'S REPORT

After Chairman's Report

COMMITTEE REPORTS

8. Uses in A-2 Zoning Subcommittee
Subcommittee Report

Mr. Cummings: I'm going to ask staff to give us a brief (inaudible).

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Ms. Baker: Yes, so I thought it'd be easier just to do brief slides on this, just to summarize, the Commission's A-2 Zoning District Uses Subcommittee report, which you all have received in your package. This was referred by the Board on December 15th to evaluate the existing permitted uses in the A-2, Rural Residential Zoning District, specifically to identify uses that may potentially conflict with residential activities. But just in looking at it overall in general and seeing if it mirrors up with the A-1 uses. You recall the Planning Commission did a similar study and recommendations on the -1 uses in 2019.

Mr. Randall: Ms. Baker was there... could you tell us, as background if there was any particular... what was driving the Board to ask us to look at this. Was there a specific cause?

Ms. Baker: Just, just a couple of things which I'll talk about in just a second. The Planning Commission did form a subcommittee on January 13th and met three times. For some background on the A-2, the district does allow for agricultural uses. The minimum lot size is 1-acre, where most agriculture uses really can't be conducted on small lots without potentially affecting neighboring properties. The Board members have received some complaints primarily about livestock and fowl on smaller lots. Nutrient runoff and odors are the most prevalent concerns that they have heard. Does that answer your question?

Mr. Randall: Yes, ma'am.

Ms. Baker: So just to show... this, after going through the variety of uses, making comparisons with the A-1 Zoning District and then just discussing in general, based on lot sizes, these were the recommendations that came out of the Committee. Agricultural operations for livestock and poultry, this would add to A-2 as by-right with language, just as it is in the A-1 Zoning District that says if such operation is located on property less than 2-acres, a conservation farm plan approved by Tri-County or other applicable agency would be provided. And what that's going to do is address things such as nutrient run off and, let's see, manure piles or other things that may impact, particularly water resources. The next one was Bed and Breakfast, changing that from by-right to a Special Exception, which matches up with the A-1 Zoning District. Changing the Club Lodge, Fraternal Organization from Conditional Use Permit to a Special Exception as well...

Mr. Bain: Ms. Baker.

Ms. Baker: Yes.

Mr. Bain: Can you maybe explain to me what kind of control do we lose by going from CUP to Special Exception?

Ms. Baker: Well, the Conditional Use Permit obviously is heard by the Planning Commission and Board of Supervisors were a Special Exception, goes through the Board of Zoning Appeals. The Board of Zoning Appeals can set limitations or requirements on a certain project based on its potential impacts.

Mr. Bain: Do both of them. Allow the County to set hours of operation.

Ms. Baker: I believe so, yes.

Mr. Bain: Okay.

Mr. Apicella: Yeah Mr. Bain, I'm on the BZA and so Special Exceptions are the BZAs purview and does not get further reviewed by the Planning Commission or the Board of Supervisors. But we are allowed to establish conditions such as ours in operation.

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Mr. Bain: Okay, my... as I noted to Mr. Harvey in some questions, my concern is the, the serving of alcohol at some of these facilities and what can develop with those if they're not controlled sufficiently. But if you generally feel that both the CUP and the SE provide sufficient authority to the County for controlling things, then I have no problem.

Ms. Baker: And again, this particularly for a couple of these where we're moving from Conditional Use to Special Exception, that's based on what was also done with the A-1 Zoning District. So, it's just making it compatible with, with the two to zoning districts.

Mr. Bain: Yeah, I was thinking like, you know, hours of operation or serving alcohol outside. Like having an outdoor party that generates a lot of noise and other problems, if we can...

Ms. Baker: As... well... But the... but alcohol sales isn't really going to be... That's something that's overseen by...

Mr. Bain: I understand. But, but regulating how they are used, like I say.

Ms. Baker: Yes, your hours of operation...

Mr. Bain: You could have a lodge and they decide to have a barbecue outside open to anybody, not just lodge members. And all of the sudden you have 2,000 people show up drinking beer, and not that I'm against beer. Don't, don't get me wrong. But I just, I just want to make sure that the County still has enough authority to control things that could very easily get out of control. So Mr. Harvey, can you give me some assurance?

Mr. Harvey: Well Commissioner Bain, if it's an issue that requires Special Exception with the BZA, they, as Baker said, can impose conditions so they could either allow or not allow outdoor activities or seating in relation to a business. As you know, with Conditional Use Permit, the County can impose conditions, too, if that is a concern. And certainly, the BZA, like the Planning Commission, could limit the use to a specific concept plan or development plan. So, there are some opportunities for safeguards.

Mr. Bain: Yeah, yeah. I'm seeing when we're talking about going down to a one-acre lot, I can see some - some serious problems arising. Okay, well.

Mr. Apicella: Mr. Bain, I'm just going to throw out that, again, to the extent that you have concern on some of these or any of these, you don't have to take any action tonight. We can certainly hold off on making any decisions and putting this to a public hearing, until folks are comfortable with it, with that deadline, whatever that is driving when we get to the to the finish line here. So, I hear what you're saying. I mean, what sticks out of me here potentially, is this the one lot, t the 1-acre size. So, that might be something that I have some concern about on that particular one. Please go ahead, Ms. Baker.

Mr. Bain: Alright, yes.

Ms. Baker: Alright. The next one is community use. Moving that from by-right to a Special Exception, the golf course, moving that from by-right to Conditional Use Permit. The forestry adding the same language that you have in A-1 that on a minimum of 20 acres... that it would be permitted on a minimum of 20 acres, with the plan approved by the Department of Forestry or a Certified Consulting Forester. The commercial kennel would be to add that as a use by Special Exception, recreational enterprise would be moving from Conditional Use Permit to by-right, but requiring a 3-acre minimum lot size. Parking and storage of commercial vehicles would just be removed from A-1 altogether... or A-2 altogether. And then there are

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just some minor changes, again, to match up with the A-1 District, noncommercial kennel would just be changed to state kennel, noncommercial. Marina would change language by adding language with or without accessory boat sales, which matches the A-1 language and manufactured home, changing that language to add the qualifier that says must qualify as a single-family home under Virginia Code. And that's how it is in the A-1 District. So, those are the proposed changes. As I said, the background information is in the subcommittee report. You all would at some point authorize a public hearing, but there is no time limit specified for the Planning Commission. When the Board made their referral, there was no time limit specified. So, it's really up to you all the time limit that you are proposing to make your recommendation to the Board.

Mr. Apicella: So, questions or comments to Ms. Baker or the Committee members.

Mr. English: Mr. Apicella. Mr. Apicella.

Mr. Apicella: Yes, please, go ahead.

Mr. English: Can I go ahead and make a motion? We send this to a public hearing and maybe in the next 30 days, 60 days?

Mr. Apicella: Can I ask you to belay that?

Mr. English: Sure.

Mr. Apicella: Because I personally have some concerns about a couple of these that I'd like to noodle and maybe discuss before we take any action on it?

Mr. English: Okay.

Mr. Apicella: We're not under the gun here to get this done quickly. I mean, I think the Committee did a great amount of work here and I appreciate their efforts. I just have some, some comments or concerns about a couple of these.

Mr. English: Okay.

Mr. Apicella: So, I'll just bring up the couple just real quick. So, on the golf course, removing it from by-right to CUP and again, while it's CUP, certainly increases the amount of scrutiny compared to a by-right. What concerns me on that one is there's no minimum size for the golf course. So, that would be something we might want to have some more discussion about. On the recreational enterprise one. I'm just going to read the definition. It's a commercial establishment providing recreational services including but not limited to bowling alleys, skating rinks, swimming pools and tennis or racquetball courts, miniature golf, health spas, martial arts instruction and fitness centers. And some of those might have a light impact. Some might have a bigger impact. And by going by-rights, we'd have no ability to deal with some of the issues that Mr. Bain indicated that might occur on some of those kinds of uses. So, I think we might want to have some more discussion about whether they're going by-right is the best way to go, especially given some of the more intense uses among those that are available to folks. And the last one that sticks out at me because we had this come up yesterday at the BZA level was a commercial kennel. In the A-1 District it's allowed. Normally in the A-1 District have 3-acre parcel. This one happened to be a grandfathered 1-acre parcel. It did get approved. But I will tell you, looking at the picture of the of the lot and how close, how close the kennel was to the nearby neighbor, caused me some concern, again, although it did get approved. I'm wondering whether we should have a minimum lot size on that one as well. So, again, the bottom line is

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we don't have to take any action tonight. We can all take a closer look at this and bring back any questions or concerns that we have in a future meeting. That's kind of the thought on this one.

Mr. Randall: So, Mr. Chair, was the Planning Commission... was the Subcommittee planning to meet again? Are you...

Mr. Apicella: I don't, I don't believe so.

Mr. Randall: Okay. Does this Subcommittee feel like they need to in order to answer the questions that have been presented?

Mr. Cummings: You know, I think on one of them, I think we had a golf course, there was a limitation on a golf course requiring a certain amount of acreage. But yeah, we could meet again, we could talk to Doug, who was working with us on it. What do you think that? Oh, sorry Kathy.

Ms. Baker: I mean, it's up to you all if you want to have a Committee meeting. I think if there are just a limited number of issues you want to talk about, I think certainly the full Commission can talk about them. As Mr. Cummings said, Doug has a lot more background and recommendations. He's out of town, but can attend perhaps the next Planning Commission meeting to talk specifically about at least these three items that were brought up. And if there are any other items, you all can let us know. But it's totally up to you if you want to have a Committee meeting or...

Mr. McPherson: I'm okay either way. I'm (inaudible) the committee if needed.

Mr. Randall: Listen, there's no reason to have another Subcommittee meeting if we think we can get the questions answered through the of course of business with the County. So, if you think, Ms. Baker, that there's... that we could get the necessary information at our next meeting, then let's do that. And then after you present the information, if there's still questions that need to be answered, then I think, you know, Mr. Cummings, I think at that point in time, you may want to consider it. But I would, I would, I would prefer going with the least intrusive method would be to have staff present us something so we can discuss it as a whole Committee... as a whole Commission over ...

Mr. Apicella: Mr. Randall, they've done that. So, really what we need is, to the extent that anyone else besides, me has any heartburn about any of the proposed changes, I would recommend that you float those to staff and that we can bring this up at a future meeting and discuss those and maybe come to some resolution. If we can't get to there at the full Commission level, then we can bring it back to the Subcommittee. But I don't see that being necessary at that point. So, again, I just have three that I mentioned. Others might have some other ones that they have some questions about. So, if you would just engage staff, I think that would be helpful. So, we could either put it on the agenda for our next... the next meeting or our second meeting in April, given that we're not under a gun here.

Mr. Randall: Ms. Baker, do you think that's something that we could have at our next meeting? Just nod your head, you have to get up.

Ms. Baker: If these are the only three items that you want us to bring back more information on.

Mr. Randall: Okay.

Ms. Baker: Then sure, we can go to the next meeting.

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Mr. Apicella: Mr. Bain, are you still interested in the club, lodge, fraternal organization issue?

Mr. Bain: I am a little bit, yes.

Mr. Apicella: Alright, so I'm counting four at this point in time. So, let's just go with those for now. And if anybody else has anything else that they want to bring up, feel free to, again, engage staff and we'll bring it back to the next meeting. Alright, thank you everybody. Thank the Subcommittee for their efforts on that one, Mr. Harvey. Let's see what's next on the agenda.

9. Comprehensive Plan 5-Year Update Subcommittee
Subcommittee Report
Next Meeting – April 1, 2021 @ 3:00 PM; Activities Room & Virtual

Mr. Harvey: We have the Comp Plan Committee update.

Mr. Apicella: Mr. Randall.

Mr. Randall: Just note that there is a Subcommittee report from our last meeting on the 17th. Everybody, I'm sure, has looked at it already. We are going through chapter by chapter of the Comp Plan. I would definitely ask that if Commission members or you have your Board members, if they're still looking for things, to please bring those to us as soon as possible. We are open to have your attendance at our meetings. Our next meeting is going to be on the 1st of April. Then we'll have you on the 8th of April and then a meeting on the 22nd of April. And I believe on the 8th and the 22nd, we have guest speakers that will be attending our meeting and will be providing some subject matter, expert input. So, that's about all. We probably will have a more detailed input or detailed review at the end of April. Over.

Mr. Apicella: Mr. Randall, do we have a public engagement strategy or timeline yet?

Mr. Randall: I'm going to turn that right over to Mr. Zuraf.

Mr. Zuraf: Yes, Mr. Chairman, we're working to at least get some information out on our website, on the web page and have a have a have a web page with, I guess maybe a portal where people can go ahead and add comments. That's kind of where we are now is just if people have comments to provide, will gather any comments or input. We have the meetings open via WebEx and that people can attend. There have been a few people attending and observing the meetings on WebEx, but we do still need to kind of get the web page together and at least start there. And that's kind of where we are. And we'll wait, and as the amendments kind of get summarized and I think we'll reevaluate the need to have any more in-depth public forums or community meetings that... But at this point, it's more of just if people have input, please let us know. And that's where we are.

Mr. Apicella: And that web page is Mike Zuraf.com?

Mr. Zuraf: Sure.

Mr. Apicella: Okay, again, I appreciate everything you guys are doing. I know it's a tough job. Alright, Chairman's report. I have nothing to report this time other than to say as usual, pursuant to our bylaws, I hereby authorize the vice chairman of signing documents in my absence. No other business. I'm sorry I jumped over you Ms. Lucian. Is there everything that you had for Attorneys... County Attorney's Report?

10. Healthy Growth Subcommittee

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Next Meeting – TBD

CHAIRMAN’S REPORT

COUNTY ATTORNEY’S REPORT

Ms. Lucian: The one night you skip me, I have one.

Mr. Apicella: Oh, okay.

Ms. Lucian: I'm just kidding. I don't. Thank you.

OTHER BUSINESS

11. New TRC Submissions
* None

APPROVAL OF MINUTES

12. January 27, 2021

Mr. Apicella: Alright, approval of minutes. We have the January 27, 2021 minutes. Is there a motion to approve?

Mr. Randall: So moved.

Ms. Barnes: Second.

Mr. Apicella: Okay, I think that was Mr. Randall. Is there a second?

Ms. Barnes: Second.

Mr. Apicella: Okay, take a vote on that. All those in favor of approving the January 27, 2021 minutes say aye.

All Commission members: Aye.

Mr. Apicella: Opposed? Okay motion carries. No further business before the Planning Commission. We're hereby adjourned. Thank you, everybody.

ADJOURNMENT

With no further business to discuss the meeting was adjourned at 7:58 p.m.