

STAFFORD COUNTY PLANNING COMMISSION
February 9, 2022

The meeting of the Stafford County Planning Commission of Wednesday, February 9, 2022, was called to order at 6:00 PM by Chairman Kristen Barnes, in the Board of Supervisors Chambers of the George L. Gordon, Jr., Government Center.

MEMBERS PRESENT: Kristen Barnes, Albert Bain, Dexter Cummings, Steven Apicella, Martin Martinez, Laura Sellers, Willie Shelton, Jr.

MEMBERS ABSENT: None

STAFF PRESENT: Jeff Harvey, Lauren Lucian, Stacie Stinnette, Mike Zuraf, LeAnn Ennis

DECLARATIONS OF DISQUALIFICATION

Ms. Barnes: Do we have any declarations of disqualifications? Hearing none. Do we have any changes to the agenda? I think that we're gonna have a quick change the agenda; we're gonna move number 2 to number 1.

Mr. Bain: Yes. Madam Chairman, I'd like to propose that we move item 2 to number 1 in response to a request from the applicant.

Ms. Barnes: Do I have a second?

Mr. Martinez: Second.

Ms. Barnes: Should just take a voice vote with this one? Is that okay?

Ms. Sellers: Are we removing 2 or 1? Are we getting rid of... we're getting rid of 2 right for today?

Ms. Barnes: No, we're gonna, we're gonna swap it and then get to that.

Ms. Sellers: Okay.

Ms. Barnes: Okay? Okay, all in favor?

All members: Aye.

Ms. Barnes: Any opposed? Okay, and so now we'll hit, we'll go to that first item, which is now... Okay, that's right. At this point, we will do public presentations. I will now open the public presentations portion of today's meeting. The public may have up to 3 minutes to comment on any matter except for those items which appear as public hearings on today's agenda. There will be a separate comment period for those public items. Before starting your comments, please state your name and address. The clock starts when the green light appears. Yellow means there's 1 minute left and red means your time is up. If you would like to speak please come forward. Alright, seeing none I will close the public presentations and move on to the next agenda item. And for that we are going to, I think we're asking for a motion for a deferral for item number 1 now which is a Subdivision Preliminary Plan and Waiver of Subdivision Ordinance for Celebrate Now. Do I have a motion?

PUBLIC PRESENTATIONS

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NONE

UNFINISHED BUSINESS

2. SUB21153852 and WAI21153933; Preliminary Subdivision Plan and Waiver of Subdivision Ordinance; Celebrate VA – Celebrate Now

Mr. Apicella: Madam Chairman, I'd like to make a motion to defer the Subdivision, the Preliminary Subdivision Plan and Waiver of Subdivision Ordinance, Celebrate Virginia Celebrate Now at the request of the applicant and defer that item until the March 9 meeting.

Mr. Shelton: I second.

Ms. Barnes: Okay. And we'll, I guess we'll, let's use the actual clickers for this one. Okay, please cast your vote. Thank you. That motion passes unanimously. So now we will move on to item number 2, which is the reclassification for the Lidl at Mine Road. And for that we recognize Mr. Zuraf.

PUBLIC HEARINGS

1. RC21153778; Reclassification – Lidl at Mine Road - A proposed zoning reclassification, with proffers, from the R-1, Suburban Residential Zoning District to the B-2, Urban Commercial Zoning District on Tax Map Parcel No. 21-27, consisting of 0.93 acres (Reclassification Property); and a proposal to amend proffered conditions in the B-2 Zoning District on Tax Map Parcel No. 21-28G (portion), consisting of 1.37 acres (Proffer Amendment Property). Collectively, the Reclassification Property and the Proffer Amendment Property are referred to as "the Property." The Property is located on the northeast corner of the intersection of Mine Road and Greenspring Drive, within the Garrisonville Election District. **(Time Limit: May 20, 2022)**

Mr. Zuraf: Good evening Madam Chairman, members of Planning Commission, Mike Zuraf of the Planning and Zoning Department. If I can have the computer please? So this is a reclassification and proffer amendment for Lidl at Mine Road. This request involves two adjacent parcels of land on parcel 21-27. That property is proposed to be reclassified from R-1, Suburban Residential to B-2, Urban Commercial. And then on the adjacent parcel 21-28G, that's a proposal to amend proffered conditions on that property from... on property that's zoned B-2. And this is all to develop a proposed Lidl grocery store. The total area is 2.3 acres. It's in the Garrisonville Election District and Nicholas Pacachi with Lidl is the applicant, with Jonelle Cameron as the agent for the applicant. Looking at the location, the parcels, the subject parcels are highlighted in blue. This is located on the northeast corner of the intersection of Mine Road with Greenspring Drive. Here's the current zoning of the map and surrounding properties. Light red represents B-2 zoning and yellow represents R-1 zoning. The B-2 zoning surrounds the majority of the of the site. There's also B-3, Office zoned property to the south and west of the site across Greenspring Drive. There's a mix of restaurants and retail stores surrounding the property. Both parcels have been zoned R-1 and B-2 since before 1978. There are no proffers existing on these properties. On the B-2 property, 21-28G, a site plan was approved in 1994. That led up to the construction of the current hotel on that property. On that site, a proffer amendment is required on that property since proffers are being added to the property where there are currently none that are there now. And the zoning district is not changing. There's no development that has occurred on parcel 21- 27. Here's the aerial view of the site. The subject properties are generally level. The subject properties have frontage on Mine Road and Greenspring Drive, as well as Wicomico Drive which is a private street that

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connects over to Garrisonville Road. The hotel covers roughly half of the of the area, and hotel access is located off of Wicomico Drive, the remaining undeveloped area. It's also level and wooded with a mix of deciduous and coniferous trees. There's a small wetlands area along the northern property line. And also, then there are no other sensitive environmental resources identified on this site.

Ms. Sellers: Can you tell me about what you mean by a private road?

Mr. Zuraf: Wicomico Drive is a private road. It's actually owned by the same owner of the hotel property.

Ms. Sellers: Okay. And so that means they maintain it, that means... does it have to be up to state standards, or how does that work?

Mr. Zuraf: I think, I'm not certain what the requirements were when this road was built back in the 90s. So I'm not... I can't speak to what the standards were then. New private roads generally have to be built to state standards, but I'm not certain if that's the case here with this private road.

Ms. Sellers: Okay.

Mr. Bain: Mr. Zuraf? Sorry. You said what were the environmental...?

Mr. Zuraf: There's a small area of wetlands generally in this area.

Mr. Bain: Okay. But isn't that also an intermittent stream there that because of the pipe that runs under Mine Road discharges to that low area, and then runs down to a pipe that goes under the parking lot of the restaurant. So I would categorize that as an intermittent stream and therefore an environmental area.

Mr. Zuraf: Yes. If it is an intermittent stream, that would, you know, usually I'll point out if there's perennial streams that would require protection. But yeah, often a lot of these sites, you'll, you'll still get intermittent streams that...

Mr. Bain: Alright.

Ms. Sellers: So up here along Mine Road, there appears to be a break. And looks like it could have been a drive-through, a driveway. Do you know what that is?

Mr. Zuraf: Yeah, that's just a little curb cut for driveway access, probably when VDOT came through and made improvements. Since that's an existing parcel, they just kind of went ahead and put that driveway in, I guess, knowing it's zoned residential. I guess, you know, theoretically somebody could come in, could have gone in there and put in a house and built the house. And so then that would have, that would be their driveway access if a house was built. Now if it came in, you know, and if this alone, property alone was developed commercially on its own and needed access, then a more significant entrance would, would be required. So here's the Generalized Development Plan with the application. It shows the location of the grocery store, approximately 24,000 square feet in size. It would replace the existing hotel, be located adjacent to Greenspring Drive, with parking on the north side, generally on the north side of the of the building. Their access would be provided only off of Wicomico Drive at the bottom of the screen. There'd be no access available from Greenspring Drive or Mine Road. Sidewalk would be added along Greenspring Drive. There's currently sidewalk on Mine Road and the sidewalk on Wicomico is very narrow and that would be upgraded to a wider sidewalk. Also, the loading dock

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access is adjacent, immediately adjacent to Greenspring Drive along Wicomico Drive. The applicant has proffered to restrict deliveries to, deliveries by Lidl trucks to between 7 PM at night to 7 AM in the morning as a means to limit potential conflicts with trucks reversing into the loading dock and other vehicles using that intersection. Other delivery vendors would not be under this same restriction, the proffered restriction. There's a loading zone designated within the parking lot for smaller trucks that may be delivering goods to the, to the store. The applicant obtained an access management exception from VDOT for the proximity of that loading dock access to the intersection. The approval was granted on the condition of the proffer, the proffer delivery hour restrictions. The applicant also has requested a separate Departure from Design Standards to allow for street buffer plantings over utility easements that are present along Mine Road and Greenspring Drive. That's a request that will require separate approval from the Planning Commission prior to site plan approval. So that would... should this zoning go through and pass, that request would be coming to the Planning Commission at a later time.

Mr. Bain: Mr. Zuraf, explain to me there's a kind of an angle to that driveway entrance for the loading area. Does that imply that all tractor trailers would come from 610 onto Wicomico and then turn right into the loading zone and could not actually come up Greenspring Drive and turn in that way? Is that the intent or is it just...?

Mr. Zuraf: The intent is that trucks would arrive via Greenspring. So they would drive in either this way or this way, drive up, stop and then back in.

Mr. Bain: Oh, you mean back in. I see. I see. And then when they leave, they would have to go...

Mr. Zuraf: Then they leave, they can go right out and hit 610.

Mr. Bain: Okay, I understand it now. Thank you.

Mr. Apicella: Do we know how many deliveries per day or between those hours, delivery hours of 7 PM and 7 AM there might be?

Mr. Zuraf: I'd have to defer to the applicant on that schedule. Mr. Apicella: Alright, thanks. Mr. Zuraf: So a Transportation Impact Analysis was required with this application. The site estimated the proposed grocery store used to generate up to 3,000 vehicle trips per day, with peak hour trips of 97 in the morning peak hour, and 279 in the afternoon peak hour. The traffic study evaluated the impact of the use on the surrounding intersections. This map highlights in yellow all the intersections that were part of that study. The Comprehensive Plan has a policy that, regarding traffic impacts with development and recommends development maintain a Level of Service C. Again, that's on a scale from A to F, that it maintain a Level of Service C. But where it's not practical, and it would not be practical if it's already failing, then the level of service should not be further degraded in those conditions if the existing conditions are already D through F. And so in the study, it did identify impacts to a few intersections that are not consistent with this policy. The greatest impacts are identified during the afternoon peak hours and three intersections particularly are of note; the Garrisonville Road/Mine Road/Staffordboro intersection. That's intersection 1 on this map. It's already at a Level of Service F in the afternoon peak hour and the project is found to provide... contribute to a delay increase of 7 additional seconds to the existing delays. And then all the northbound lanes of Mine Road approaching Garrisonville Road would experience the greatest amount of impact with additional 34 to 36 seconds of delay. At the Mine Road commuter parking entrance and future Hampton Run commercial site, that's spot number 8 on the map, that's at a Level of Service D in the afternoon peak hour, and that's a smaller impact but it increases the delay by 2 1/2 seconds. The greatest impact here would be vehicles heading southbound along Mine Road through

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that intersection. And then the third one, Garrisonville Road at Salisbury and Stafford Marketplace. That's location intersection 9 on the map. That's already at a Level of Service F in the afternoon peak hour and an overall delay of the intersection increase of 4 seconds. The biggest impact would be people on Garrisonville Road heading westbound turning left onto Salisbury, that would experience a 20 additional seconds of delay. So this is highlighting some of the impacts found from the study from this development. So the Comprehensive Plan... the Future Land Use Map identifies the property within the recommended commercial corridor and Suburban area land use designation. The proposed use is consistent with the County's Comprehensive Plan as it would allow a neighborhood serving commercial uses that are consistent with recommendations in the Land Use Plan here. And also the use does fit in with the established development pattern along Garrisonville Road. These are architectural renderings reflecting the design of the building. Staff notes the renderings provided appear to be, to adequately conform with the Neighborhood Design Guidelines Plan, which is an element of the Comp Plan, and includes architectural design recommendations. A proposed proffer would require that the building be constructed in conformance with the style and materials depicted in these renderings. The applicant, I think on their presentation, has some 3D renderings that show I guess maybe a different view of the of these elevations. There are several proffers being offered as part of the rezoning. Those include requiring the development in general conformance with the General Development Plan that you've seen. Require the building be in conformance with the elevations that you just saw. Require the dumpster to be located in the loading dock area and screened with a solid wall along Greenspring. Also require the signage be in conformance with signage elevations, which is another attachment to the package that you received. Also install at least one automated external defibrillator within the grocery store. Require installation of NFPA 13 commercial fire sprinkler systems in the store. Limit access to the property via Wicomico Drive and specifically prohibit access to Greenspring or Mine Road. And then also limiting the delivery hours by Lidl distribution trucks, as I've already mentioned. And then also installing the sidewalk along Greenspring Drive and Wicomico Drive. And then, to kind of link the potential maximum intensity of the of the use; establish 3,005 vehicle trips per day as a maximum intensity for any grocery store uses on the property. Or if the uses... if the site is used in another manner by another... with another use that there could be no more than 1,500 vehicle trips per day.

Ms. Sellers: How do we enforce that? How do you enforce that proffer?

Mr. Zuraf: So when a site plan comes in, we would ask them to provide the trip generation based on the proposed use. And, and then... and that's all tied to specific... there's an ITE manual that has standard trip generations based on the use and size of a building. And so a different use came in, we would ask the same thing to, based on the specific use, provide what that number is.

Ms. Sellers: Okay. Mr. Zuraf: And then if they're greater than that, then they'd have to... they would... they would have to reduce the size of the building or change the, change to another use.

Mr. Apicella: Mike, can you clarify that? Because the GDP specifically says grocery store. So if they were to do something other than a grocery store, wouldn't they also have to modify their GDP? Ms. Sellers: Are they proffering the GDP?

Mr. Zuraf: They are proffering the GDP in general conformance. And I guess it's if they can put in another use in the same building with the same layout, that might be something that would be allowed.

Mr. Apicella: But it would still have to be under... it couldn't be over the amount of traffic associated with the grocery store. So if they put in – Chick-Fil-A might not be a good example – but you know what I mean.

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Mr. Zuraf: So if it's a retail store...

Mr. Apicella: A heavily trafficked use or uses.

Mr. Zuraf: If it's a retail store, it couldn't be greater than 1,500 vehicle trips per day.

Mr. Apicella: Okay.

Mr. Zuraf: So that would generally be a lower intensity, intense use than the grocery store.

Mr. Bain: I'd like to follow-up a little bit on Ms. Sellers' question. Setting that as a proffer, it's based on manipulation of numbers that the applicant does for the application. But once the application is approved, there's no way to enforce that limit of traffic once the site has been constructed. They could get 5,000 vehicles a day and the County really can't do anything about it, couldn't they?

Mr. Zuraf: No. It's all tied to the standard trip generation rates.

Mr. Bain: Yeah, but how do you, how do you know that they have more than 3,005 vehicles a day once the store is open?

Mr. Zuraf: We won't and it all has to...

Mr. Bain: There is no enforcement.

Mr. Apicella: But it is based on the manual. I mean, we generally accept the numbers based on the manual. Mr. Bain: It's based on the manual, yeah.

Mr. Zuraf: Right.

Mr. Apicella: I don't know what other methodology we could... I hear what you're saying. I don't know what other methodology we could use beyond the generally accepted manual.

Mr. Zuraf: You know, it'd be doing traffic count, you know, and...

Mr. Bain: I know, I know. But that's, that's why I wanted to clarify. Ms. Sellers says how do you enforce that? There is no enforcement once the application is approved.

Mr. Bain: It's just that the application is based on this number that has been developed based on equations of history. Like once it's built, they could... *inaudible*... it could be whatever, whatever the roads would accommodate.

Mr. Zuraf: Right.

Ms. Barnes: That would be consistent with all applications I would imagine, too. Okay.

Mr. Zuraf: Yes, and the manual is, and those numbers are based on real data from other stores.

Mr. Bain: Oh, I understand, I understand. But there's enforcement is, is the point I'm having an issue with. There is no enforcement once the application is approved.

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Mr. Zuraf: Well, the main thing though, is that no other use can go in there other than...

Mr. Bain: It doesn't matter. You're saying 3,005 vehicles per day for grocery use. Once they get their permit, they don't really, I mean, it may not be intentional for them to have 5,000 vehicles there in one day. But you have, the County has no way other than doing traffic counts to go in and say ah, you're, you're exceeding it.

Mr. Zuraf: Right.

Mr. Bain: And the County doesn't have the money to do traffic counts at every store in the area, so. Thank you.

Ms. Sellers: I have another question about limit access to the property via Wicomico or how are you say that. I thought it was Wicomico, but apparently, my country self is not correct.

Mr. Apicella: That sounds like a band.

Ms. Sellers: I'm a little country sometimes. But... I have a little... I'm a little troubled with that one. I mean, I would like to see at least the option of some inter-parcel connectivity there and reduce the amount of breaks in Garrisonville Road somehow and allow maybe in the future, maybe not today we can't do it, but if we put this proffer in here, then if at some point in the future we can have one entrance for these, you know, these three properties being the car place, Pancho Villa, and Lidl or whatever's there, then this proffer, will it prohibit us or in some way make it difficult to, to move the entrance to Garrisonville Road or? Like this sounds great now, but in 20 years, if this, if all these uses aren't there anymore, is this going to be limiting us?

Mr. Zuraf: It would, it would limit the... I guess it does, it does tie access to Wicomico. And, and so as long as Wicomico is the way out that's, that's how it would have to be. If there is an inter-parcel connection through, say, the Pancho Villa site to the north in some time in the future, then that could, that could be a way, an indirect way to get out to 610.

Ms. Sellers: Yeah, and maybe not now, but I, you know, in the future, because there was a time when there was a 7-Eleven on that corner, you know. There were different uses there. And so I would be concerned of how this will limit them. And then in the future, do they have to come back? And is this proffer amendment just for that one parcel? Or if we rezone it, does it make it, does it take those two parcels and do these proffers run concurrent on both pieces?

Mr. Zuraf: Yeah, the proffers will basically be concurrent with both properties.

Ms. Sellers: Okay.

Mr. Zuraf: And just to let everybody know, you did tonight receive a new set of proffers and so a new proffer was added, new proffer 8, that requires an inter-parcel connection be provided for, to the adjacent Pancho Villa site, should that site redevelop. That site.... so that's actually a site plan requirement. So this is kind of stating a site plan requirement. And in this case, the Pancho Villa site has parking all around. And so there's no way currently today to physically provide, make that connection. But if the... and so what would be required at the site plan stage is the Lidl folks would have to provide an easement to allow for a future connection. And so then if the Pancho Villa site ever redeveloped, they would have

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to come in and make the connection because this is all within the highway corridor, and that would be required at that time.

Ms. Sellers: Okay.

Mr. Cummings: Hey, Mike, are there any plans for VDOT to sort of make some changes to the roadways surrounding particularly those choke points in the near future?

Mr. Zuraf: I'm not aware of any, any near term improvements.

Ms. Sellers: Would these guys be in the Garrisonville transportation, where they collect that extra tax?

Mr. Zuraf: The transportation tax district, I believe they are.

Ms. Sellers: Okay.

Mr. Zuraf: So with the overall evaluation, there are several positives. The proposal is consistent with the land use recommendations in the Comp Plan. It's consistent with the established commercial development pattern in the vicinity of the site. The building design meets neighborhood design criteria in the Comp Plan. The proffers would help to mitigate negative impacts from the proposed use and minimize the intensity of any future use of the site. Access would be limited to many minimize traffic conflicts on the more heavily traveled roads around the site. And with the negative, as I've kind of gone over, the project does contribute to additional delays at several of the intersections near the site, which is inconsistent with the Comp Plan policy that discourages further degradation. The overall recommendation – staff does recommend approval the application with the proposed proffers pursuant to Ordinance O22-07. Although the use would result in additional impacts to the transportation network, on balance staff finds the positive aspects outweigh the negative aspects. And that ends my presentation.

Ms. Barnes: Okay, do we have any more questions for staff?

Mr. Apicella: Just one or two more questions. You mentioned how the delivery trucks are going to be coming in, I think off of Greenspring. So they probably wouldn't conflict with regular customers coming off of Wicomico. The reason I asked that earlier question about the frequency of deliveries is a concern that the delivery trucks might engage with customer traffic. So have you thought about that? And I don't know what the hours of operation are, that might mitigate it to some extent. But if it's staying open past seven, I imagine it's going to be open in the morning, early in the morning, but if it's open after 7 PM, open between say, yeah, after 7 PM that there might be some conflicts.

Mr. Zuraf: Yeah, that definitely is a possibility because... and with the, as I kind of drew that out on the layout, the trucks, you know, will have to pull up and could approach actually the entrance and into the, into the Lidl and to be able to back out backup adequately.

Mr. Apicella: So again, that could be an issue.

Mr. Zuraf: Yes. But I guess the frequency i guess would be limited with the hours limitation.

Mr. Apicella: Okay, thanks.

Mr. Shelton: Is this the basic same footprint as the one on Warrenton Road?

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Ms. Barnes: Go ahead.

Mr. Zuraf: This is a little smaller.

Mr. Shelton: Smaller?

Mr. Zuraf: Yes, it is smaller.

Mr. Shelton: Okay.

Ms. Barnes: Okay, last call; anyone else? Okay, would the applicant like to come forward?

Ms. Cameron: Good evening, Madam Chair and members of the Planning Commission. My name is Jonelle Cameron with Walsh, Colucci, Lubely and Walsh here today on behalf of the applicant Lidl. A lot of my slides are a repeat of what Mike said. So I'll briefly go over those. And then I'll focus mainly on our General Development Plan. I will answer some of the questions that were asked regarding the loading times and how many during that presentation and then I really wanted to focus on parking and transportation related questions. And then we'll end with showing the building elevations and then a couple of the 3D elevations as well. So as you all are aware, the property is located at the intersection of Greenspring and Mine Road. It's about 2.3 acres in size. It's split zoned R-1, Residential and B-2, Urban Commercial and Comprehensively Planned Suburban Commercial Corridor. And this slide shows a color illustrative of the General Development Plan. And the applicant is proposing a store that is 24,574 square feet for a grocery store. The applicant is providing 15-foot landscaped strips along Wicomico Drive, Greenspring Drive, and Mine Road, a 20-foot buffer along the property line adjacent to the Pro Tech Collision Center. And that area, Commissioner Bain, is the area that had the wetlands that was mentioned, and that area will be undisturbed. That stream that you mentioned is offsite on the adjacent property and not on the Lidl property. In addition, the applicant is reconstructing the sidewalk along Wicomico Drive, constructing a sidewalk along Greenspring that will connect to the existing sidewalk on Mine Road. The applicant is proposing 99 parking spaces which meets the code requirements of 4 parking spaces per every 1,000 gross square feet, and this parking is ample parking for what is proposed for Lidl. The deliveries for the tractor-trailers are once a day, Commissioner Apicella. It is Lidl tractor-trailers that deliver a large amount of their deliveries and then throughout their day, there might be smaller trucks that will park in the loading space in the parking lot. And those trucks are like your Coca-Cola truck, the bread truck that do not need the loading space itself. As part of the proposal, as Mike went through in great detail, the applicant was required to do a traffic impact analysis. And we first started by looking at the traffic trips that are generated on the property by-right today. So the existing hotel generates 250 vehicles per day. The... if there was a home on the property that's zoned residential, that would be 15 vehicles per day. But we also looked at what are the trips that could be generated by-right and the hotel is looking to sell so whether it be to Lidl or another user, they do want to sell their property. And there could be a shopping center on the property today by-right and as Mike mentioned, it does not have proffers on it. And that shopping center could generate 3,204 vehicle trips per day. As proffered, the Lidl generates 3,005 vehicles per day. So about 200 vehicles less than what could be on the property by-right today. And this slide shows the intersections again that Mike went through. So intersection 6 and 8 currently operate at Levels of Service D during the PM peak; 1 and 9 are Levels of Service E during the AM peak and Levels of Service F during the PM peak. Without our traffic and with our traffic, those Levels of Service stay the same, but there are slight increases in seconds over the overall intersection there. The movements that are... have a greater delay, which is 30 seconds at Mine Road making the left turn onto Garrisonville and then a right turn onto Garrisonville. Those increases in delay are due to the fact that VDOT gives preference of green times

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to the through traffic movements. And so the side streets, side streets and side movements end up always bearing the brunt of the additional delays because the preference always is to move people through the intersections. I wanted to note a couple of things for the Mine Road/Garrisonville intersection. Lidl's trips are 1.6% of the total trips that move through that intersection, and Lidl's peak hours are actually off peak. So the peak hours that we're taking into consideration for the TIA that VDOT makes us look at was between 7 AM and 8 AM for AM peak, and 4:45 and 5:45 for PM peak. Lidl's peak hours are actually between 12 and 4 is their main peak hour for customers. And there were several proffers to mitigate the impacts of transportation. So the applicant prohibited access to the property from Greenspring Drive and Mine Road. Restricted deliveries by the Lidl distribution trucks between 7 PM and 7 AM. Required the construction along... the construction of sidewalks along Greenspring Drive and Wicomico Drive. Also, in the event that the property is rezoned and Lidl builds and then leaves or for some reason does not build and it's not a grocery store, the trips are limited to 1,500 vehicles per day as proffered and discussed. And then there was a new proffer that you all received this afternoon to provide inter-parcel connection to Pancho Villa. And this slide shows the building elevations. The main building elevation materials are brick, and there are stone veneer and wood-like as well. And in the next few slides, I will just go through some line of sight exhibits of what it would look like from each roadway. So the first slide is the front facade. And the arrow pointing in the bottom right shows what that view area is. This is the view from Wicomico. This is the view from Greenspring and Wicomico. This is the rear view from Greenspring. And this is the view from Mine Road and Greenspring Road. And that concludes my presentation, and I can answer any questions you all may have.

Ms. Barnes: Questions for the applicant?

Mr. Shelton: Would you clarify what you mean by the inter-parcel connection with Pancho Villa?

Ms. Cameron: Yes, absolutely. And so we met, and I always break your board so I don't like using it. But we met with Commissioner Sellers, and one request that she had was can we look at providing inter-parcel connection? And we said sure that's something we can do. So hopefully I don't break the board. This area in here is the area that abuts Pancho Villa. And so at the time of site plan, we will provide an inter-parcel connection, an easement, so that it could connect. I don't know where the location would be, but it could be here, it could be here, it could be here, that allows for there to be a connection between the two properties in the future.

Mr. Shelton: Thanks for the clarification.

Ms. Cameron: You're welcome. And Commissioner Sellers, just to answer the question you had earlier, so normally when you limit access on Wicomico, inter-parcel connection is not considered to be a limiting factor into your actual main access, which is Wicomico, and the secondary accesses are your inter-parcel connections, and the County and VDOT actually prefer you to have the inter-parcel connections as well. So we don't think the proffer limits that. but if there needs to be clarification language, we're more than happy to add that.

Ms. Barnes: Any more questions?

Mr. Martinez: Madam Chair? Can you... I tried to looking in the 3D renderings in the illustrative, but could you describe a little bit more where exactly the dumpsters are going to be placed? And the loading dock?

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Ms. Cameron: Yeah, absolutely. So the dumpsters are actually hidden in the loading dock so you, you won't be able to see it. It's part of the loading dock area. And it's generally, Tori, correct me if I'm wrong, but it's this area in here.

Mr. Martinez: Thank you.

Ms. Cameron: You're welcome.

Mr. Apicella: Madam Chairman, I obviously don't know what the Board's gonna do with this, but if it gets approved, when do you all expect to break ground? And when do you think you'd be completed and open for business?

Ms. Cameron: I can get that answer for you; hold one second.

Mr. Apicella: Can she come up and...?

Ms. Cameron: Yes, I apologize.

Ms. Bowers: Hi, everyone, Tori Bowers with Lidl. So we'll be going through the site plan process which will take anywhere from...

Ms. Barnes: Can you step forward into the microphone a little bit better? Thank you.

Ms. Bowers: Hi, Tori Bowers with Lidl. We'll be going through the site plan process, which will take anywhere between 9 to 12 months. And then as soon as we get our permits, we would like to start construction on this property.

Mr. Apicella: And, again, based on that timeframe, when do you just manage expectations for people out on 610 and in the Mine Road area, when they might get a new grocery store? If it's approved, when do you think you'd be open for business?

Ms. Bowers: Okay, so we're in about February of 2022. So it could possibly be starting construction, second quarter of 2023. And then opening sometime in 2024.

Mr. Apicella: Okay, thank you.

Ms. Barnes: Any other questions?

Mr. Bain: Just, just one clarification on the traffic numbers that you are talking about. And that the Lidl peak hours are essentially during the daytime hours. Was the traffic assessment then for AM and PM peak using those peak numbers, or were you using numbers that your store would generate at the AM and PM hours, which would be very small?

Ms. Cameron: VDOT requires you to use the ITE manual numbers so that it's fair across the board. So unless it's a... I've only ever seen it where it's a use that just doesn't exist in the ITE manual, which is very rare, but anytime that you have a store VDOT requires you to use the ITE manual, which actually ends up being a little bit more conservative than the reality for most businesses. So you're getting a conservative estimate of the number of trips.

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Mr. Bain: Okay.

Mr. Apicella: When you... I'm sorry, when you say conservative, you mean a little high or a little low?

Ms. Cameron: A little high.

Mr. Apicella: Okay, great. Thanks.

Ms. Cameron: You're welcome.

Mr. Bain: I'll just... since Mr. Shelton raised the issue about the size of the store, you're at 24,000 plus square feet.

Ms. Cameron: Correct.

Mr. Bain: Do you happen to know the size of the store on 17?

Ms. Cameron: I do. Give me one second.

Mr. Bain: Okay.

Ms. Cameron: The Route 17 store is 35,962 square feet.

Mr. Bain: Okay, so this is, let's say 80% of that.

Ms. Cameron: Correct.

Mr. Bain: And the store on 17 has about 150 parking spaces. So that would drop it down to 120. This site only has under 100.

Ms. Cameron: I was ready for your question, which is why I have the information.

Mr. Bain: Daggone it.

Ms. Cameron: You're welcome. So the store, the site plan that was approved for the Lidl store has the same parking requirements that we have, which is four per every 1,000 gross square feet. That Lidl store was an early on store when Lidl was first coming to the market. And they were over parking their stores in estimating on the parking that they needed. They are actually actively looking and finding a broker to do a pad site on that Lidl store on 17 because of all of the excess parking that they don't need anymore.

Mr. Bain: Okay.

Mr. Apicella: I'm sorry, Jeff can correct me if I'm wrong, but we changed the requirements for parking across the board for grocery stores, I believe. And I think Lidl was the driver for that.

Ms. Cameron: They were, and the history behind that was Route 17 was approved at four per 1,000. When the Planning Commission and Board updated your parking regulations, you got rid of the high, medium, and low intensity definitions, and then increased the parking for grocery stores to 7 parking

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spaces per every 1,000, which was higher than most of the surrounding localities. And then did a zoning text amendment to bring it back to 4 per every 1,000.

Mr. Bain: Don't you just hate it when the applicant's prepared?

Ms. Barnes: Well, I do have to say I visit that Lidl often because I absolutely love that store. And that parking lot is always wide open, so I can understand why you would be looking for that. I do have a question. One of my favorite aspects of that store on 17 is that huge window vaulted front; absolutely love that. Is that not a standard design? Why is this one a little bit different? Is it because it's smaller?

Ms. Cameron: Yes, please.

Ms. Barnes: I was just disappointed because that's my favorite aspect of that store. Or one of them.

Ms. Bowers: Absolutely. So that was actually one of our first prototypes. And we are now on our third prototype, which is why you can see the building itself is a little bit different.

Ms. Barnes: Okay.

Ms. Bowers: We still carry over some of the same elements though.

Ms. Barnes: Thank you. Okay, last call for questions for the applicant. Okay, thank you very much. That was very thorough. Thank you. Okay, I'll now open up the public hearing on this agenda item. This is the opportunity for the public to comment on these on the Lidl application. Before starting your comments, please state your name and address. The clock starts when the green light appears. Yellow means there's 1 minute left. Red means your time is up. And I see we already have somebody up. Okay, good to go.

Ms. Cameron: Thank you.

Mr. Pacheco: That's me. This is my first time. So good evening, everyone. Where do I push? Oh, just talk? Okay. My name is Eladio Pacheco. And I've been a resident in Stafford and Washington in Virginia since 1993. And my first store was in in Culpeper, Virginia. That's where we started. And the second store was in Fredericksburg.

Mr. Bain: I'm sorry, would you state your address?

Mr. Pacheco: It's, I forgot... 16 England Run Lane. Fredericksburg, Virginia.

Mr. Bain: Thank you.

Mr. Pacheco: Okay. I have a store in Culpeper. And there's a Lidl out there, and we have a store on Route 17 and there's a Lidl out there. Those are beautiful stores. And there's no problem with traffic because there's all one lane and you know, and there's not that many, then there's not that much traffic in those areas. I feel that the store right here next to my restaurant, it will be the biggest mistake. Because as it is right now, everybody's juggling to try to figure out how to, the way out to in the mornings, and the way to get out in the afternoons to when they come in for 95. I mean, I'm not I'm not familiar, but I figured this is, this is the road right here. Okay, this is Garrisonville. This is Mine Road. And this is the other store here. There's always traffic lining up people to try to go to Hamptons. I mean, big time.

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In the mornings, the same thing in the afternoons on Garrisonville it's really bad. I mean, it's always you know, I mean, sometimes I feel like having somebody with the flag letting my customers get out because it's really bad. In also Mine Road right here. So I mean, it's having this store right here, it will be the biggest mistake because even though right now there's not an exit right here, people think there's an exit. So they go through my parking lot. And, you know, I mean, it's a family restaurant. I mean, and the thing of it is, I always feel that, you know, they might run somebody over. I had a store in Spotsylvania, and, you know, people were trying to avoid the light in the day go through the parking lot, and people just kind of just stood up in wait for the traffic. So right now, I mean, for Lidl to be there is, is the biggest mistake, because there's a lot of traffic as it is right now. And it's gonna get even worse. So I mean... Yes sir. It's 11 to 10 o'clock in the evening, you know. So. So that's it. I mean, that's all I mean, you know, but I mean, I guess I mean, it, we've been going around this, and then I see that the first the gentleman put a line. I mean, he I don't know if he's planning on taking, like, take the 18 parking spaces from my from my restaurant. So, but that's, you know, I mean, I'm not, you know, I'm not, I don't think that's a good idea.

Ms. Barnes: Okay, thank you very much.

Mr. Pacheco: Thank you.

Ms. Barnes: Anyone else? Okay, so I will go ahead and close the public hearing unless Ms. Sellers, did you want to leave this open? Or did you want to... is it okay for us to close this?

Ms. Sellers: Inaudible, microphone not on.

Ms. Barnes: Okay, we'll go ahead and close the public hearing. Would the applicant like to come back up and address anything else?

Ms. Cameron: This is a quick meeting tonight, so I promise I won't take too much time. But I just wanted to address Mr. Eladio's concerns that he had mentioned about traffic. And the applicant through this application is mitigating its impacts. The property, the B-2 portion of the property is currently zoned without proffers. So there could be another development on the property that generates more trips by-right than the proposed grocery store. So I just wanted to reiterate that and thank you all for your time.

Mr. Bain: Just one point to clarify for his ease of mind. The inter-parcel connection would not be constructed with your initial development, so that, that driveway connection is not going to suddenly appear one morning, you'll have traffic coming through your property. That's only if your property is redeveloped, so.

Ms. Cameron: And the proffer has been framed with sort of three different scenarios, but correct Commissioner Bain. So one is if the property's redeveloped. If there is an agreement between the parties in which they agree to have an inter-parcel connection, or for some reason something happens and VDOT comes through and has an improvement and closes everybody's access points and requires inter-parcel connections. So we've anticipated all three of those. But you're correct. It won't happen overnight or tomorrow, but that easement will be there for the future.

Mr. Shelton: Madam Chair?

Ms. Barnes: Go ahead.

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Mr. Shelton: Question. The gentleman was referring to and losing 16 spaces. Is there a barrier there now?

Ms. Cameron: So to be clear, County GIS is incorrect. Their overlay is inaccurate and our... so if you look at the County GIS overlay, and it might be Mike's presentation might be the best to show it and I can quickly highlight that for you all. So this blue area shows the property line. We actually did an ALTA survey, and the County GIS needs to be updated based on the ALTA and the rezoning plat that we submitted. Those parking spaces are not on the property and Lidl is aware of that. So that is only the County GIS. Our rezoning plan and our rezoning plat reference the right boundary lines.

Ms. Barnes: Okay, any additional questions for the applicant or staff?

Mr. Apicella: Yeah, I'm sorry. Can you just tell us again, what that comparison that you gave earlier about the number of vehicle trips per day that could happen by-right versus what would happen if the Lidl was developed instead?

Ms. Cameron: Absolutely, give me one second to pull that page up. So it was 32,004 vehicles per day. And Lidl is...

Mr. Bain: Thirty-two hundred.

Ms. Cameron: I'm sorry, 3,200, yes. I apologize; 3,204. And Lidl is 3,005.

Mr. Apicella: So if we did nothing, if this was not approved and someone wanted to move forward with a shopping center, they could, and there'd be potentially 3,200 vehicle trips per day.

Ms. Cameron: Yes.

Mr. Apicella: Okay, thank you.

Ms. Cameron: You're welcome.

Ms. Barnes: Okay, last call for questions for the applicant or staff. Okay, seeing none, I will bring this back to the Commission. And Ms. Sellers, this is in your district, what would you like to do?

Ms. Sellers: Yeah, I'm gonna make the motion to defer it. And then I have a comment. But, so I want to defer this because I do want to give, I do want to sit down with Pancho Villa. I mean, Pancho Villa has been here for 20 years, at least at that location. And as Stafford grows, we have to consider those staples. I mean, and we can't just negate the fact that they're there. And he's come here to speak before us. And so he does deserve our attention. It does deserve our respect. I do apologize. My email was incorrect on the County website and so we didn't get a chance to talk earlier. But I would like to sit down with both parties and see if we can come up with some sort of plan to make it work as a whole. So I need a little bit more time to get people together. So I would like to defer this. And I don't have a date yet, but we have till April.

Ms. Barnes: Okay. Let me ask a quick question to Lauren. We do have this... it looks like we have a proffer amendment, the new proffer that we have here. Do we have to do anything with that tonight? Do we need to...?

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Ms. Lucian: Not unless you're voting on the application itself.

Ms. Barnes: So if we defer it, we can, we can hold off on that?

Ms. Lucian: Yes. But we will need a date certain for the next public hearing.

Ms. Barnes: Okay.

Ms. Sellers: Well, do we... we had the public hearing? We're not deferring...

Ms. Lucian: I mean, that... yeah, I mean for this to come back to the Planning Commission we'll need a date certain.

Ms. Sellers: You need a firm date? Because that's never been required in the past. When did that change?

Ms. Lucian: If you close the public hearing, that's fine. You can just defer it generally.

Ms. Sellers: Yeah, I just need it... I just want to get both parties, since you're both in the room, let's get both parties sitting down and looking at this. I'd also like to get Buffalo Mo's involved, because Buffalo Mo's does use that parking lot. And so are they aware that that parking lot is being taken? You know, so you do have two businesses right there that are, that are part of the community and do deserve some attention from the Planning Commission and the staff.

Mr. Pacheco: Can I stand again?

Ms. Barnes: I'm sorry, no.

Mr. Pacheco: *Inaudible, not at microphone.*

Ms. Barnes: Sir, I, I'm sorry, I'm gonna have to cut you off on that. If we're deferring it, you're going to have plenty of time to talk to Ms. Sellers about it.

Ms. Sellers: We will make time. We will meet so that we can talk these things through so that when we come back, we're at least all comfortable with where things are going. I don't like doing let's pass it and figure it out later. I don't like that. So let's, let's talk it out. Let's spend a little bit more time and then bring it back. I do like Lidl myself. It keeps me from having to drive to 17. It's a 45 minute drive, so I appreciate you guys wanting to come to North Stafford and do want to make this work.

Ms. Barnes: So, a motion for deferral...

Mr. Apicella: Can I just ask a point of clarification? So that's new information. We always, we always have a date certain. So when are we going to expect that this is going to come back before us? How will we know it's going to pop up on the agenda? Who's going to drive that train?

Mr. Harvey: Yes, Mr. Chairman, excuse me. Madam Chairman, Mr. Apicella, since the public hearing is closed, it can be deferred as a general rule. But if it's a... the public hearing is open, you'd have to continue to a specific date. I guess this will remain on the agenda until we have additional information unless the Commission wants to schedule a specific meeting for the item to come back.

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Mr. Apicella: I guess I would just ask Ms. Sellers, can we just at least tentatively put it on the agenda for the March 9 meeting so we just have a target date? If not, you know, two weeks from now. I don't know how long it takes to have that engagement. But just so, again, I don't know when it's gonna pop back on the agenda for us to actually deliberate on it.

Mr. Harvey: Yes, Madam Chairman and Commissioner Apicella, if there is a meeting and there's changes to the application, and for the staff to prepare a report, we'd recommend that it at least be 30 days. So that gives us an opportunity to digest the new information and include it in our report so that the March 9th date would probably be the earliest staff would recommend that it come back.

Ms. Barnes: And if there's a problem, we can even defer that night again, can't we?

Mr. Harvey: Yes, Madam Chairman. The application has time limit of May 20th.

Ms. Barnes: Are you comfortable with that Ms. Sellers? Ms. Barnes: Correct. We defer it to March 9th. Okay, do I have a second?

Ms. Sellers: To March 9th?

Mr. Bain: I'll second.

Ms. Barnes: Okay. Any further discussion? Okay, please cast your vote. And that motion passes unanimously. Thank you very much. Okay, on to the next part of the agenda, we are going to move on to New Business. We have none. The Planning Director's Report, and that would be Mr. Harvey.

UNFINISHED BUSINESS

2. SUB21153852 and WAI21153933; Preliminary Subdivision Plan and Waiver of Subdivision Ordinance; Celebrate VA – Celebrate Now - A preliminary plan for 100 townhouse units located on Tax Map Parcel No. 44W-2, on approximately 62.32 acres, split-zoned RBC, Recreational Business Campus Zoning District and M-2, Industrial-Heavy Zoning District, on Celebrate VA Parkway north of Sanford Drive, within the Hartwood Election District. This item includes a request for waivers of Sections 22-177(1) and 22-191(a) of the Subdivision Ordinance, relating to number of lots served by an access easement and number of lots on a cul-de-sac street. **(Time Limit: April 6, 2022) (History: Deferred from January 12, 2022 to February 9, 2022)**

Discussed before item 1.

NEW BUSINESS

NONE

PLANNING DIRECTOR'S REPORT

Mr. Harvey: Madam Chairman, the only potential items of business we now have on our agenda for your next meeting since this item was deferred to March 9th, and similarly, with the preliminary plan, the only item we would have would be the recognition of former Commissioners, and/or if there was still discussion or debate about the nominations for Historic Preservation Awards. So staff would seek some guidance from the Commission as to whether or not it's advisable to cancel the next meeting.

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Mr. Apicella: Madam Chairman, I would make a motion to cancel the next meeting and reschedule the awards for prior members.

Ms. Barnes: So I've got to reschedule the awards? Well, I guess that's probably the best plan. Do we need to have a motion for that? Did you just make one?

Mr. Apicella: Yes.

Ms. Barnes: Okay. Can I have a second for that?

Mr. Bain: Second.

Ms. Barnes: Okay, any further discussion? Alright, please cast your votes. My goodness. Alright, and that passes unanimously. So our next meeting, which would be... I don't even remember...

Mr. Apicella: March 9th.

Ms. Barnes: March 9th. That is cancelled. Okay. Alright. Next we go to the County Attorney's Report, Ms. Lucian?

COUNTY ATTORNEY'S REPORT

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

COMMITTEE REPORTS

CHAIRMAN'S REPORT

3. 2022 Annual Historic Preservation Awards

Ms. Barnes: Okay, thank you. And the Chairman's Report. I just have one thing on the Chairman's Report. And you guys, you all did see the email regarding the Stafford County Annual Historic Preservation Awards. And we haven't done this for a while. So I'm going to turn this over to Mr. Harvey and Mr. Harvey, maybe you could explain this a little bit to us what we need to do.

Mr. Harvey: Thank you, Madam Chairman. Every year except for the last two years due to COVID, the Historic Commission presents awards at a future Board of Supervisors meeting recognizing persons and organizations that have made an exemplary effort in historic preservation in the County. The Historic Commission seeks input from another... from a number of individuals as well as Boards and Commissions for their input on nominations. And they've requested the Planning Commission's input if the Commission has any recommendations for nominations.

Ms. Barnes: Does anybody have any recommendations for nominations? I believe that, that Kathy may have mentioned one, and since we've canceled the next meeting, we'll have to make that decision tonight. Correct?

Mr. Harvey: Yes, ma'am, if the Commission is going to make a recommendation as a body

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Mr. Apicella: Madam Chairman, so normally in the past, we've asked staff for a recommendation. Sometimes they come in with two or three. Ms. Baker, Kathy Baker is normally the point of contact on this issue. And she's recommended, even though we haven't had a chance to really digest it, the rehabilitation of the Duff Green house at Duff Green Park by the Patawomeck Tribe, I'm probably not saying that right. But Potomac... Patawomeck. My apologies to the tribe. So I would, I would recommend that that's the one that we push forward on.

Ms. Barnes: Okay.

Mr. Shelton: I second that.

Ms. Barnes: Was that a motion?

Mr. Apicella: Yes, that was a motion.

Ms. Barnes: Okay. Yes, you can second that. Any further discussion on that? We all are in agreement with that? Okay. Cast your vote, please. And that passes unanimously.

Mr. Apicella: So presumably staff will put together the package for the Historic Commission.

Mr. Harvey: Madam Chairman, Commissioner Apicella, yes, staff will fill out the nomination form for the Commission.

Mr. Apicella: Thank you, Mr. Harvey. Please thank Ms. Baker for our recommendation.

Ms. Barnes: Thank you. Thank you very much. Okay, Other Business. We have some new TRC submissions. It looks like, looks like Garrisonville and Hartwood's getting all the love this month. And I hope I'm assuming that you guys all got the information for that. It looked like some of it was digital. Okay, I see that. Next... I think yours is digital. I think you got an email that said yours was digital. Correct, Kathy? I mean... *inaudible*? Okay, thank you. Okay. And next is the approval of minutes. And just to clarify, the first one, we'll do them separately, will be December 8th. And on that one I will ask for abstentions for the three members that were not here at the time. Okay, so can I have a motion for the approval of minutes on, for December 8th?

OTHER BUSINESS

4. New TRC Submissions
 - * The Garrison at Stafford - Garrisonville Election District
 - * Embrey Mill - Town Ctr South Rev – Garrisonville Election District
 - * Celebrate VA Villas at Town Celebrate – Hartwood Election District
 - * Project Clover NOVA Gateway – Hartwood Election District

APPROVAL OF MINUTES

5. December 8, 2021

Mr. Bain: So I move.

Mr. Apicella: Second.

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Ms. Barnes: Okay, I'll just do a vote by voice vote on this one. All in favor?

Mr. Apicella: Aye.

Mr. Bain: Aye.

Mr. Cummings: Aye.

Ms. Barnes: Aye. All... any opposed? Abstentions? (*Ms. Sellers, Mr. Shelton, and Mr. Martinez abstained.*) Okay, thank you. And next is the January 12, 2022, meeting minutes. Can I have a motion to approve those minutes?

6. January 12, 2022

Mr. Apicella: Motion to approve, Madam Chairman.

Ms. Barnes: Can I have a second?

Mr. Bain: Second.

Ms. Barnes: Okay. And on this one since you guys were here you are good to go on, on voting for that one. So can I... all in favor?

All members: Aye.

Ms. Barnes: Any opposed? Okay. And with that, no further business in front of the Planning Commission, we are adjourned.

ADJOURNMENT

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