

STAFFORD COUNTY PLANNING COMMISSION

September 8, 2021

The meeting of the Stafford County Planning Commission of Wednesday, September 8, 2021, was called to order at 6:00 PM by Chairman Steven Apicella, in the Board of Supervisors Chambers of the George L. Gordon, Jr., Government Center and at remote locations throughout the County.

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

MEMBERS ABSENT: None

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

Mr. Apicella: Before we get started, Mr. Cummings has asked to participate remotely for personal reasons. Is there a motion to authorize his electronic participation?

Mr. McPherson: So moved.

Mr. Bain: Second.

Mr. Apicella: Okay, I'll just do a quick voice vote. Everybody in favor say aye.

All Commissioners: Aye.

DECLARATIONS OF DISQUALIFICATION

Mr. Apicella: Opposed? Alright, there you go Mr. Cummings; look forward to your participation. Also, now that the County has transitioned away from practices related to COVID-19 and its associated allowance of comments to be provided in writing, we are now going to transition back to pre-COVID practices, and we would ask the public to attend in person and submit their comments that way. Are there any Declarations of Disqualification on any agenda item? Alright, seeing none. Are there any changes to the agenda? Alright. So, we've now reached a point in the meeting where we will take Public Presentations. The public may have up to 3 minutes to speak on any item except the 6 public hearing items. As each of those come up, you'll have an opportunity to comment on those. 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. So, if there's anyone who would like to provide comments at this point, please feel free to do so now. Alright, seeing no one, I'm going to close the Public Presentations portion of the meeting and move on. Mr. Harvey, the first item on the agenda?

PUBLIC PRESENTATIONS

NONE

PUBLIC HEARINGS

1. WAI21154032; Departure from Design Standards – Burns Corner Sheetz - A request for a departure from the Design and Construction Standards for Landscaping, Screening and Buffering Manual (DCSL) on Tax Map Parcel No. 29-93D (Property), zoned B-2, Urban Commercial. If granted, the departure would permit relief from DCSL Sec. 110.2, "Street Buffers adjacent to Arterial or Collector streets," to allow parallel utility easements within the required planting area

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for a street buffer along Hospital Center Boulevard and Wyche Road. The Property consists of 2.14 acres, located on the southeast intersection of Hospital Center Boulevard and Wyche Road, within the Hartwood Election District. **(Time Limit: November 7, 2021)**

Mr. Harvey: Yes, Mr. Chairman, the first item on the agenda is a public hearing for a proposed Departure from Design Standards for the project known as Burns Corner Sheetz. And Brian Geouge will be making the staff presentation.

Mr. Geouge: Good evening Mr. Chairman, members of the Commission. Brian Geouge with Planning and Zoning. This request is for a Departure from Design and Construction Standards for Landscaping, Screening, and Buffering Manual, also known as the DCSL, Section 110.2 for street buffers adjacent to arterial or collector streets, to allow a parallel utility easement within the required planting area for a street buffer along Hospital Center Boulevard and Wyche Road. This is for Tax Map Parcel No. 29-93D, consisting of 2.14 acres. This is in the Hartwood District, and Samer Shalaby is the applicant. The site here is shown highlighted in red. It's located directly south of the intersection of Hospital Center Boulevard and Wyche Road. The subject parcel and other parcels at this intersection were reclassified in December of last year as part of the Burns Corner project. This kind of highlights that project area here. As you probably know, this is not a recent aerial photograph. The site's currently being cleared and rough-graded in preparation for development. As part of the site plan, the applicant is required to provide a landscaped street buffer along the frontage of the property in accordance with Section 28-82 of the Zoning Ordinance, which requires that buffers be provided in accordance with Section 100 of the DCSL. And Section 110.2(2) of the DCSL speaks to street buffers adjacent to arterial and collector streets and states that they must be 15 feet wide with 50 plant units per 100 feet, and they must be exclusive of all parallel utility easements. If the applicant is unable to meet the identified requirements, a Departure from Design Standards is required in accordance with Section 143 of the DCSL. Here is the landscape plan sheet for the site plan that is currently under review. You'll see here a couple highlighted areas. The part in red is the limits of a VDOT drainage easement that exists along the frontage. And the portion in green is the proposed street buffer planting area. The ability to meet the street buffer requirements and the requirement to be exclusive of parallel easements is obviously hindered by this VDOT drainage easement. And it's unable to be located outside the limits of this easement without significantly impacting the feasibility and layout of the site. The easement is currently in the process of being vacated. Since it is a drainage easement, they were just meant to accommodate the road project and the site work proposed here will essentially replace it. But it's a lengthy process to have it vacated with VDOT and the applicant wishes to go forward with this departure in the interest of time so that their site plan can be approved. In summary, staff recognizes the hardship created due to the location of the easement and the impacts on the feasibility of the project. If the buffer were to be located outside of the easement, additionally, as I noted, the easement will ultimately be vacated. So we believe that the request meets the requirements for departure of the DCSL and recommends approval of PCR21-05. And I'll take any questions.

Mr. Apicella: Thank you Mr. Geouge. Questions for staff? Wow, that was a great presentation Brian. Appreciate it. Would the applicant like to come forward?

Mr. Shalaby: There's not really much I can add. He did a great job, thank you.

Mr. Apicella: I think you should still come up, state your name, just in case.

Mr. Shalaby: Absolutely. Good evening, Samer Shalaby of DCS. I guess Brian did a good job so I'll kind of leave it at that. If there's any questions. The one thing, just to stress the point he was mentioning,

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we've actually been working on vacating that easement for about 7 months now, and it's been approved by the Federal Highway, approved by VDOT; it's just again, the process is moving. So, we're trying to get Sheetz moving, that's why we decided to do this, just an effort of time. So I'd appreciate it if you guys would vote for it. Thank you.

Mr. Apicella: Thank you. Questions for the applicant?

Mr. Randall: Yeah, I have a quick question. You can't just run.

Mr. Shalaby: I was hoping.

Mr. Randall: Of course. Can you put the site plan back up please? Two more. There you go. Alright, so where's all the water draining to? You know, these are drainage easements, so tell me where your... tell me how your water's going to flow on this site as you've got it.

Mr. Shalaby: Sure. I'll explain it kind of in a simple fashion. If you guys remember, before we started doing the work, from the road is built up and everything just kind of fell off the road. And that's the reason why VDOT wanted the drainage, because their water would, you know, if it rains it would kind of come down to the bottom. We've pretty much since then raised the whole site almost level with the road and we're installing storm system pipes that collects everything. So really, there's no more water. There's a pond back here... there's a pond back in this direction here in this area, and everything drains that way. And also there's another pond that sits in this area behind, and all the water gets piped and drains that way.

Mr. Randall: So the water is not draining down towards Wyche Road and Hospital Boulevard.

Mr. Shalaby: No, no, no, no it's not. There's storm pipes. If you look again it's a little bit underneath. There is storm pipe that runs along the frontage of the site and, again, trying to get this pen... there are storm pipes that run here that collect, storm pipes that run here, and a storm pipe that runs there. Pretty much everything gets collected around it.

Mr. Randall: And it all sends it to the ponds.

Mr. Shalaby: Correct, exactly.

Mr. Randall: Okay. Thank you very... perfect, thank you so much.

Mr. Shalaby: Thank you.

Mr. Apicella: Thank you Mr. Randall. Any other questions for the applicant. Alright, you did a great job as well, thank you.

Mr. Shalaby: Appreciate it.

Mr. Apicella: Alright, so I'm now going to open the public hearing on this item. Again, this is an opportunity to provide your comments on this specific matter. You have up to 3 minutes to speak. The green light starts the clock. Yellow means there's 1 minute left. And red means please wrap up your comments. If there's anybody in the audience, and we've got tons of people in the audience, who would like to speak on this matter, please feel free to come forward now. Alright, seeing nobody, I'm going to

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close the public hearing on this item and bring it back to the Commission for further discussion and potential action. Mr. English, this is in your district; how would you like to proceed?

Mr. English: I make a motion to approve WAI21154032, Departure from Design Standards, Burns Corner.

Mr. McPherson: Second.

Mr. Apicella: Okay, just to be clear, I have a different number on my staff report. Not sure that it matters, but the number I have is WAI20153327. Is that not the right number?

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

Mr. Apicella: Okay. The numbers are changing as we speak. Alright, so there's been a motion recommending approval, whatever the right number is; is there a second?

Mr. English: He seconded it.

Mr. Apicella: Alright, thank you. Any further comments Mr. English?

Mr. English: No, I'm just happy to see that thing in there.

Mr. Apicella: Mr. McPherson?

Mr. McPherson: No additional comments; I agree.

Mr. Apicella: Anybody else? Alright, so the way that we're going to do votes tonight is those of us who are here today, we're going to use our clicker to vote. And then I'll ask Mr. Cummings what his vote is. So, please go ahead and cast your vote on the motion recommending approval. And Mr. Cummings, what's your vote on this one?

Mr. Cummings: Yes.

Mr. Apicella: Okay, so that motion carries 7-0. Thank you everybody. Moving onto the next item, item number 2 on the agenda, Mr. Harvey.

2. Index of Official Road Names - Proposed Ordinance O21-36 would amend the Index of Official Road Names, which is a part of the Stafford County Zoning Ordinance, to rename a road as follows:

<u>Location</u>	<u>Current Road Name</u>	<u>New Road Name</u>
Private street east of the intersection of Bonair Street and Kensington Drive, terminating at the intersection with Coventry Court	Kensington Drive	Coventry Court

Mr. Harvey: Yes, Mr. Chairman, item number 2 is a proposal to rename an existing public street... excuse me, existing private street within the County. Brian Geouge will make the presentation.

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Mr. Geouge: Good evening again Mr. Chairman, members of the Commission. This proposal is for an amendment to the Index of Official Road Names to rename a private road, known as Kensington Drive, located east of Bonair Street, to Coventry Court. This is within the George Washington District. The site is located generally south of White Oak Road and west of Town and Country Drive. The road segment proposed for renaming is off of Bonair Street and is highlighted here in red. Here's a closer view. There are 27 townhomes within the Town and Country Subdivision that are addressed off of Coventry Court, which Coventry Court you'll see as this line here. But it kind of leads into this large open area. Coventry Court is not really a well-defined street currently; it's just an open parking area. Access to Coventry Court is through an unaddressed portion of Kensington Drive, which is located here. And Kensington Drive also extends to the west of Bonair Street to serve homes within the Charlestown Commons Subdivision. The request would rename the portion of Kensington Drive that's east of Bonair Street to Coventry Court to help reduce confusion when navigating to the homes addressed off of Coventry Court. Shown here is the Town and Country Subdivision Plat from 1970, which includes the current road names on the plat. It was envisioned that a future road would be extended to the west of Coventry Court, which would have resulted in a T intersection at Kensington Drive and Coventry Court. You can see that future street identified here. However, that road was never constructed and is no longer possible due to the development of the adjacent Charlestown Commons Subdivision. As a result, Coventry Court and this section of Kensington Drive are both part of a single road segment that serves these homes. So existing roads may be renamed by the Board pursuant to Section 28-147(C) of the Zoning Ordinance. At the request of the community, the Board initiated an amendment to the Index of Official Road Names to rename this section of Kensington Drive to Coventry Court pursuant to R21-257. Staff is recommending approval of Ordinance O21-36 to rename this section. We think this will help alleviate any confusion, as well as any public safety concerns regarding the location of Coventry Court. And I'll take any questions.

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

Mr. Bain: I just have one. What was the... what initiated the request? Was it from residents or from mail carriers or...?

Mr. Geouge: I believe it's from the HOA.

Mr. Bain: HOA, alright. Thank you.

Mr. Apicella: I just have one quick question. Can you pull up the last slide I think it was, or maybe the one before that? Definitely not that slide.

Mr. Geouge: This one?

Mr. Apicella: Right. So, you had shown where the change is. It looks like it really only impacts the road itself. And the reason I ask that is because I don't think any homeowner necessarily is going to have to have their address changed. Or am I incorrect?

Mr. Geouge: Correct. They'll all still be addressed on Coventry Court.

Mr. Apicella: Okay, great. Alright, that's it for me. No other questions? Thank you Mr. Geouge. There's not an applicant per se, so I'm going to go ahead and open the public hearing on this item. As before, again, if you want to speak, you have up to 3 minutes. The green light means start your comments. Yellow means 1 minute left. And red means you need to wrap up your comments. If anyone

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would like to come forward, please do so now. Seeing no one rush to the podium, I'm going to close the public hearing and bring it back to the Commission. Mr. Bain, this is in your district. How would you like to proceed?

Mr. Bain: Yes, I would like to make a motion to approve Ordinance O21-36.

Ms. Barnes: Second.

Mr. Apicella: Okay. Motion recommending approval; any further comments Mr. Bain?

Mr. Bain: No.

Mr. Apicella: Ms. Barnes?

Ms. Barnes: No.

Mr. Apicella: Anybody else? Okay, same as before. Please cast your vote on the motion recommending approval. Mr. Cummings, how do you vote?

Mr. Cummings: Yes.

Mr. Apicella: Okay, so that motion carries 7-0. Alright, moving onto the next agenda item, items number 3 and 4. I think they're going to be discussed together.

3. RC20153402; Reclassification – Orris Estates - A proposed zoning reclassification, with proffers, from the A-1, Agricultural Zoning District to the R-1, Suburban Residential Zoning District on Tax Map Parcel No. 43-74A, consisting of 12.78 acres (Property), to allow for the development of up to 25 single-family dwellings. The Property is located at the terminus of Manorwood Drive, approximately 350 feet east of Royal Crescent Way, within the Hartwood Election District. **(Time Limit: December 17, 2021)**
4. CUP20153403; Conditional Use Permit – Orris Estates - A request for a conditional use permit (CUP) to allow a cluster subdivision with increased residential density of up to 2.25 dwelling units per acre in the R-1, Suburban Residential Zoning District on Tax Map Parcel No. 43-74A (Property). The increased residential density would allow up to 25 single-family dwelling units on the Property. The Property consists of 12.78 acres, located at the terminus of Manorwood Drive, approximately 350 feet east of Royal Crescent Way, within the Hartwood Election District. The Property is subject to a concurrent zoning reclassification request. **(Time Limit: December 17, 2021)**

Mr. Harvey: Yes, Mr. Chairman, that is correct. Items 3 and 4 will be presented as one presentation, and Mike Zuraf will be making that presentation for staff.

Mr. Zuraf: Good evening Mr. Chairman, members of the Commission. Mike Zuraf with the Planning and Zoning Department. I don't think I'm going to be as quick as Brian there, but I'll do my best. So, this is a zoning reclassification and conditional use permit for a project known as Orris Estates. This is first a request for a zoning reclassification from the A-1, Agricultural Zoning District to the R-1, Suburban Residential Zoning District, to develop 25 single-family detached dwelling units. And then a separate application for a conditional use permit to allow an increased residential density of up to 1.97

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units per acre in that same R-1 zoning district. The site covers 12.78 acres. Lee Wingo with Drees Homes is the applicant, Charlie Payne is the agent, and this is in the Hartwood District. The parcel subject to the application is identified in the center of the screen highlighted in blue. It's located at the end of Manorwood Drive, approximately 350 feet east of the intersection with Royal Crescent Way, and then adjacent to Lake Mooney Reservoir. That's of course highlighted in light blue. So, this shows the current zoning of the site. Light green represents A-1, Agricultural zoning, and the adjacent property to the west shaded yellow is zoned R-1, Suburban Residential. That area consists of the Stafford Lakes Village neighborhood. And Lake Mooney Reservoir surrounds the property on the other sides of this site. This aerial view shows the site in relation to Stafford Lakes Village and Lake Mooney Reservoir. Manorwood Drive east of Village Parkway terminates in a cul-de-sac that has a dedicated right-of-way that goes up to the property line for this property. There's a 40-foot wide open space parcel that lies between the residential lots in Stafford Lakes Village and this property. And then the site itself is wooded with deciduous trees. There's a 100-foot RPA buffer located along the edge and the shoreline of Lake Mooney. Also, the site topography generally slopes downward towards Lake Mooney Reservoir. And then there is an intermittent stream kind of on the middle of this site.

Ms. Barnes: Can you draw that in?

Mr. Zuraf: Yeah. It's in this general location. So the General Development Plan shows a residential cluster subdivision with 25 single-family lots. Just so... to make you aware, the orientation of the map is flipped, so north is over to the left and the reservoir is at the top of the screen. Manorwood Drive would be extended to a T intersection within a proposed road, Manorplace Drive, providing the only access to the lots. Manorplace Drive would terminate at the northern and southern ends within the property. The General Development Plan shows lots primarily located outside of the limits of the RPA buffer. The majority of the RPA buffer would be allowed... would be located within the open space, and the open space, the common open space is the green shaded area on this plan. And just so you know, the RPA...

Mr. Bain: I'm sorry Mike, I think you were going to show the RPA boundary and that was the question I was about to ask.

Mr. Zuraf: Let me see if I can change this color without...

Mr. McPherson: Is it the purple line?

Mr. Zuraf: Yes. Okay. And then also, the common open space would be owned and maintained by homeowners association. Retaining walls are proposed along portions of Manorplace Drive to avoid impacts into the RPA buffer. And the open space area itself, it covers 44% of the overall site. There is an access easement shown to Lake Mooney, at the southern end, which is over on the right. There's the access easement. And that is something that's not necessarily proffered. And talking to the applicant, the intent of that easement is not I guess defined at this point and they may be able to speak more to the purpose of that access easement towards the reservoir. Also, there'll be sidewalk constructed along Manorplace Drive to connect to the existing sidewalk along Manorwood, existing Manorwood Drive. The current cul-de-sac on Manorwood Drive, it's a temporary easement as it stands now, this portion. So when the road is built through, that area would be, you know, the cul-de-sac bulb would be removed and that would be kind of restored to driveway or grassy area for the benefit of that property there.

Mr. Bain: So that property owner would maintain it? Would it actually be deeded over to them?

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Mr. Zuraf: There's a temporary turnaround easement presently there. And the idea of those is, if that road was ever extended, they still the current owner actually owns the land under where the road is now. But they just you know, don't maintain it. And then if it's all converted over to driveway and grass, then of course they're...

Mr. Bain: Alright, thank you.

Ms. Barnes: Mike, how long has that cul-de-sac been there? When was that home built? If you know that answer.

Mr. Zuraf: I am not certain. I'd have to check the records. I would have to guess the early 2000s. But I'm that's...

Ms. Barnes: So that house has been living with a cul-de-sac for 20 years or so or more probably.

Mr. Zuraf: Right. A little less I'd say.

Ms. Barnes: Thank you.

Mr. McPherson: Mike, quick question. So for lots 6, 7, 8, 9, and 10, would there be any special requirements or limitations to the property owners having their lots in the RPA buffer?

Mr. Zuraf: Yeah, well, there is... they cannot clear in that buffer area, so they'd have to keep any clearing out of that. Also, there's a setback requirement of 35 feet of any structure from the RPA.

Mr. McPherson: Okay, so just because it's their lot, they just can't really do anything with those patches of the lot.

Mr. Zuraf: Those portions would have to be kept undisturbed.

Mr. McPherson: Thank you.

Ms. Barnes: And how is that...?

Mr. Zuraf: They could... sorry, they could go in and clear out underbrush. I think the main stand of trees have to be maintained.

Ms. Barnes: So they actually can go in and... my impression for the CRPA is you cannot touch it. If a tree falls, you can't remove it. If it...

Mr. Zuraf: There are some provisions that allow for removal of dead trees or you know, underbrush, weeds and things.

Ms. Barnes: Okay. Who enforces that? Is it enforced?

Mr. Zuraf: That's County staff, environmental staff.

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Ms. Barnes: My issue is I've seen and looked at some properties where it is in the CRPA, and it's completely cleared. Because people just don't know that you've got CRPA and there's really no way to enforce that.

Mr. Zuraf: Well, we have the ability to enforce... Yeah, if nobody submits a violation, then we may never know.

Mr. English: Does the Stafford County utilities, they patrol that whole area, though, don't they? Or not?

Mr. Zuraf: They would be probably... I'm sure they probably monitor the conditions of the reservoir. And yeah, and if somebody went and cleared all the way down...

Mr. English: They would be the one...

Mr. Zuraf: ... then yeah, they're going to...

Mr. English: They would be the ones to be the reporting people then, probably, right?

Mr. Zuraf: They would probably let us know. And also they'd be probably clearing... well they could potentially clear on to County property, because there's still some trees within the County property before you get to the waterline.

Mr. English: Okay.

Mr. Bain: Mike?

Mr. Zuraf: Yes.

Mr. Bain: That retaining wall that's shown on here is extremely close to the CRPA line. How will they be able to build the retaining wall with the footers that they need to excavate and equipment movement that would have to be in that area? How could they possibly do that without encroaching on the CRPA?

Ms. Barnes: Where is the retaining wall? I can't read it.

Mr. Bain: It's that kind of double parallel line that follows the little dip of the roadway, and then goes up. Maybe that's a question for the applicant rather than you?

Mr. Zuraf: Yeah. And yeah, there is some disturbance that ends up happening, you know, on the downward side, and if there are no trees there, then probably not a big issue. But yeah, if there's trees right up to the edge, then that's going to be very difficult to, and they're going to have to work around that. And, you know, these retaining walls that are shown here are conceptual, and I'm sure they... I'd defer to the applicant to see if they feel that this is the exact location, if they've done engineering to define the specific locations. So the Comp Plan's future land use map classifies the property a suburban designation as identified by the yellow shading on the map. These are areas the County recommended to include single-family detached dwellings, typically on a quarter to half acre size lots. That may include community amenities as well. Development densities should not exceed three units per acre for residential development, and the proposed development is generally consistent with the recommendations for development within suburban areas as noted above. The proposal also is consistent with Comp Plan objectives 1.2 and 1.3, which recommend directing growth into the Urban Services Area

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and promoting... and promotes infill development on vacant bypassed and underutilized land. The plan also recommends resource protection along the CRPA portions of the border of the shoreline of the reservoir and basically what the portions that cover the CRPA buffer. The Comp Plan does include design criteria for cluster subdivisions including countywide criteria, and criteria specific to cluster development inside the Urban Services Area. The project generally meets the intent of the criteria. Sensitive natural resources are being avoided for the most part and the designated open space is contiguous along the shoreline of the reservoir. Staff evaluated how the request would impact different public facility types in the County. And going through, we've provided more detail in the staff report but just kind of highlight the summary of the impacts. Looking at adequate facilities, staff has determined that there's adequate park capacity in this location. The 2017 Parks Utilization Plan identifies where park facilities are lacking and assigns priority areas where additional parks are most needed. This area is defined as having adequate parks in that Utilization Plan. Also, for transportation, the Transportation Impact Analysis is not required with this application. Since the estimated trip generation is less than 1,000 vehicles per day, staff does not anticipate significant traffic impacts with this development. Lower traffic generating uses that do not require a traffic study are less likely to have a negative impact on levels of service. That's the main kind of thing that the TIA is kind of looked to measure. And just would note, a transportation impact fee of approximately \$3,000 per unit would apply in this case. Based on applied to the 25 lots, that would amount to approximately \$75,000 that the County would receive from impact fees. The staff report noted that libraries are identified as having adequate levels of service through the build-out of the project. However, for clarification, the Comp Plan projects future needs, and identifies the need for a new library in year 2023. Staff estimated the build-out of this project would be in approximately year 2025. So that means that there potentially would be impacts to library facilities based on the rough estimation in the Comp Plan. Facilities with deficits include the schools. It's estimated that the project would create a service level deficit, basically, meaning exceeding the 90% capacity threshold at the different schools, specifically at Rocky Run Elementary School and at Colonial Forge High School. In this case, it would be reasonable to receive proffers to mitigate impacts to these two schools. The applicant is proposing to mitigate impacts with cash proffers of approximately \$29,600 per unit. That would equate to a total amount of \$740,900 overall.

Mr. Randall: Mr. Zuraf, I have a question for you. So I'm looking at our staff report. And our staff report shows Rocky Run Elementary School and it shows capacity as a design capacity. Yet in Stafford County for elementary schools, we go by program capacity, not design capacity, which is significantly less than the design capacity listed. I believe if... I don't have the number, I was looking for it. I thought I had the sheet of paper. I don't have it with me. But I want to remember that the Rocky Run Elementary School, if you look at their design capacity of 950, their program capacity is probably in the 860 to 870 range, which would mean that they're already over 100% right now. And so it's not over 90%. They're already over 100% which is because we count by program capacity not by design capacity. So that would call into question the mitigation of their cash proffers being that Rocky Run's already over 100% capacity. So... and then they made... even though we showed a level of deficiency for libraries, there was no issue, no suggestion of a proffer to help the library with a Comprehensive Plan requirement of 2023?

Mr. Zuraf: Yeah, I was going to get to based on the State Code legislation for proffers, it's considered unreasonable to collect proffers for libraries.

Mr. Randall: Okay, so there you go. Alright.

Mr. Zuraf: They're limited to transportation, schools, parks, and public safety.

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Mr. Randall: Okay.

Mr. Zuraf: So yeah, with public safety the site's within the first response area of Berea Fire and Rescue Station. It was determined the current service level deficits exist and any additional homes would further add to current service level deficits. In this case also, it'd be reasonable to receive a proffer to mitigate Fire and Rescue impacts. The applicant's proposing to mitigate the impacts with cash proffers of approximately \$1,300 per unit. And that would be a total of \$32,400 overall over the extent of the project.

Mr. English: Is that kind of low, Mike, or is that kind of a standard? That looks like it's low.

Mr. Zuraf: That actually is from some of the cases recently, a little bit more than some of the others that we've seen. For the general government category, it's identified as a potential deficit, which includes and is based on a facility such as the County's Government Center and Courthouse Complex, staff's determine that a deficit exists with the general government services based on current capacity issues with the courthouse. To address this, the County's CIP identifies construction of a new courthouse facility, but not to be completed until year 2033. That's several years following the build-out of this project. And as I mentioned, according to the Virginia Code, it'd be unreasonable to accept proffer contributions to offset the impacts to libraries and general government in this case. These are two of the architectural renderings submitted with the application. There are several, the applicant's kind of included the whole line, I guess, of the different options that they would plan to build in this site. The applicant has proffered the architectural design and features of the units that they'd be in general accordance with the submitted renderings. The elevations are in conformance with several of the recommended... several of the recommendations in the Neighborhood Design Standards Plan of the Comp Plan. Looking at the proposed proffers, they would require development in general conformance with the General Development Plan; limit development to no more than 25 single-family detached units; require the building design in accordance with the renderings; also require the cash contributions that I've gone over that amount to almost \$31,000 per unit. Now, touching on the conditional use permit, again, this would allow the increase in density, basically, from 1.5 units an acre up to 1.79 units per acre in the R-1 zoning district. The zoning ordinance provision actually allows a use permit request to go up to 2.25 units per acre. In this case, in this site, the applicant seeking 1.79 units per acre.

Mr. Apicella: Mike, do you know what's the average lot size?

Mr. Zuraf: The average lot size to me appears to be around 10,000... a quarter acre, 10,000 square feet.

Mr. Apicella: And how would that compare? Probably wouldn't be much but how would that compare to a conventional rezoning? Or development? I'm sorry.

Mr. Zuraf: Conventional development? You might see... a conventional development could still have lots this small, but I think you'd see it maybe 1/3 of an acre would be maybe more typical in a conventional design development, maybe from a third of an acre up to half an acre. But a little bit larger.

Mr. Apicella: Okay, thanks.

Mr. Randall: To piggyback onto that, how does this compare to the lot sizes in, what is it Stafford Lakes Village? How does it compare to those lot sizes?

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Mr. Zuraf: These are a little smaller. Checking some of the closest lot sizes, they do have some that are closer to the quarter acre but they do tend to be a little larger. There were some that were half an acre and one of the closest ones, just because of the configuration, would look to be almost like point seven of an acre. So there's a little bit of a range but generally a little larger.

Mr. Randall: And those would be the ones directly across the way from the new houses, the ones that are facing the lake now.

Mr. Zuraf: The ones that are currently there on Manorwood.

Mr. Randall: On Manorwood.

Mr. Zuraf: Yeah, near the point where it ends now.

Mr. Randall: Right. Okay. Alright, thank you.

Mr. Zuraf: So the main intent of requiring a use permit is for increased residential density. And for going through a conditional use permit is to ensure the development occurs in a manner that minimizes any negative impacts on residents in or adjacent to the site. This use permit would allow six additional units in the project. The lot yield for conventional R-1 zoning development would be 19 units in this case. Under the cluster plan, 44% open space is proposed. The Zoning Ordinance requires 30% open space. Under conventional subdivision, there are no minimum common open space requirements. And as noted in much of the open space includes the areas associated with the RPA next to Lake Mooney. The greatest potential impact would be to the adjacent residents in Stafford Lakes Village.

Mr. Apicella: Hey Mike, I'm sorry. I'm going to take you back to that last comment. So, what percentage of that lot is RPA?

Mr. Zuraf: I would have to guess maybe, and this is all just from me eyeballing it, I'd say 20 to 25%.

Mr. Apicella: Okay, thanks.

Ms. Barnes: And can I ask is that RPA? Is that just at the shore of it, or does any of that include that stream that goes down the center?

Mr. Zuraf: The stream down the center does not include RPA.

Ms. Barnes: So that can be... they can get rid of that or...?

Mr. Zuraf: They would have to maintain drainage through there. But they could clear through that area where that intermittent stream is.

Ms. Barnes: So, 25% of regardless of whether or not they have a cluster development, or traditional one, 20, 25% of that's going to be remain open. But we'll just have six houses less.

Mr. Zuraf: It would remain undisturbed. As we kind of mentioned, it was highlighted that a few of the lots have the RPA on the lot... the RPA is on a few of the lots, but still has to be remained, remain undisturbed.

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Ms. Barnes: Okay.

Mr. Apicella: So I'm not sure if I'm tracking correctly with Ms. Barnes' comment. You wouldn't be... you would not likely build on the stream. Right? You could clear it but you wouldn't build on it.

Mr. Zuraf: Let me go back. On that intermittent stream?

Mr. Apicella: Yes.

Mr. Zuraf: Yeah, so they're proposing a road crossing of that intermittent stream. And there are no lots proposed over that.

Mr. Apicella: Right. But even if they weren't doing that, like I'm just getting back to what is unbuildable, okay, out of that parcel. Not compared to what currently is allowed, the two houses, but something different, you wouldn't normally put a house over an intermittent stream. So with the intermittent stream, I'm going to go back to my question, what... include that in your calculation. I know it's not RPA, I don't know what to call it. But what would that be?

Mr. Zuraf: That would be an intermittent drainage channel... inaudible.

Mr. Apicella: No, no, in terms of percentage of the parcel.

Mr. Randall: You added that percentage to...

Mr. Apicella: Yeah, does it...

Mr. Randall: ... 20 to 25.

Mr. Apicella: I'm not holding you to this. This isn't...

Mr. Zuraf: I would add another maybe 1 to 2%. Because really, those lots could be designed if there was enough room, right on each side of that stream, because there'd be no buffer and they could just work it in as a, as drainage, as, adjacent to each of those lots if they were lots on each side. So the intermittent stream doesn't take away from... to as much of the developability of the property.

Mr. Apicella: Right, so I think we're still around 27%. If that's not holding you... inaudible... make one plus or one minus, but that's kind of a rough guesstimate.

Mr. Zuraf: Yes.

Mr. Randall: So to follow on that if I could, we talk about you just mentioned 44% is open space. Right? How much of that open space is usable? How much of that open space can be played on, can be run on, can be dog walked on? How much of that is really available for me to do something with? So if you have the 44% and you're minus to 27%, you're talking I have 17% left.

Mr. Zuraf: Yeah.

Mr. Randall: That's really what I would consider, oh, yeah, okay, that would be considered open space, things that I can do things on, right. It's a little disingenuous to say we have 44 as an open space and

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then 27% of it is an RPA, right, which we've been trying to get out of that process. We've had these things come before us before. We're trying to get out of that. Because it doesn't do anybody any good. There's no benefit to the residents. There's no benefit to anybody when we have 44% open space and 17% of it is usable. So, anyway, thank you.

Mr. Zuraf: I think I was at the last point on this. Yeah, so, the second to the last point again, there's the greatest potential impact, again, to the adjacent residents in Stafford Lakes Village. There's a 40-foot wide common area strip that runs along the outer perimeter of Stafford Lakes Village and this area provides some physical separation between the existing site and this proposed development site. On the last point, a 10-foot side yard setback condition is being recommended to address fire and safety. Under cluster subdivision, a side yard setback could be as little as 8 feet. One of the recommendations in the Comp Plan is to provide at least 10 feet of the side yard setback to provide a little better access for fire safety purposes. Proposed conditions would be limiting development of no more than 25 single-family detached units; requiring the site to be in conformance with the GDP; and then requiring that side yard setback of 10 feet as I mentioned. Looking at the overall evaluation, positive aspects – the proposal is consistent with the Suburban Land Use recommendations in the Comp Plan with regard to single-family dwelling unit projects. Proffers ensure that development be consistent with what is envisioned in the application. It's consistent with the infrastructure phasing policies in the Comp Plan related to Parks and General Government, not so much in libraries at this point. Mitigation of schools and public safety impacts would be considered reasonable. The single-family detached units are consistent with established Stafford Lakes Village development. The building designs are consistent with the Architectural Design Guideline recommendations in the Comp Plan. And conditions would help ensure negative impacts are mitigated. With negative points, there'd be temporary impacts to the existing residents from construction activity and traffic during the development of the site as this is the only way in to the project. With the overall recommendation, we're modifying this for both the zoning reclassification and conditional use permit. Staff is recommending a 30 day deferral of both applications. There was some email traffic during the questioning that some of the Commission members had that provided a new comment from utilities that suggested a 150-foot setback from the edge of the reservoir. That is a new comment that we've just received, and the applicant is just hearing about today. And so I think that'd probably be wise to provide some additional time for staff to better understand the basis for the comment, and also for the applicant to be able to respond to that issue.

Mr. Apicella: So for giggles, before you move on, can you go back to a slide that shows us the parcel. In fact, not just the way the houses are, and where that 150-foot line would be. Again, just a rough estimate.

Mr. Randall: So explain so everybody's clear. Explain what the 150-foot buffer would be.

Mr. Zuraf: That would be an undisturbed buffer basically, just similar to an RPA buffer, but just an extra 50 feet.

Mr. Randall: From the shoreline.

Mr. Zuraf: From the edge of the, yeah, the average waterline of the reservoir.

Mr. Randall: So you'd have to do it...

Ms. Barnes: Go 50 feet inside that buffer line.

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Mr. Apicella: So from that line that he's drawn, you'd have to go... is that about 100 feet?

Mr. Zuraf: That's 100 feet.

Mr. Apicella: So you'd have to go another 50 feet. So if you could draw again, just... it doesn't have to be accurate.

Mr. Randall: About half of that, right, add half to that. It would literally... right. You couldn't do it through, yeah, you couldn't do it through that because it would get all the way to the road. You'd have to move the road.

Mr. McPherson: Six, seven, eight, and nine would be...

Mr. Randall: Well, that whole section on that side would be gone.

Ms. Barnes: So this is going to significantly, or possibly significantly change this site plan.

Mr. Apicella: Yeah, I think, I mean, it's helpful for everybody to understand what that could potentially mean. And why do they recommend 150 feet? There's just got to be a reason.

Mr. Zuraf: Well, yeah, there's a very quick kind of discussion when after this kind of came out. My understanding is your best management practice, but we need to talk to them more, utilities more.

Mr. Randall: Sure. Do you know the current status of any houses close to Lake Mooney now? Would these be the closest houses currently to the lake? And what are those houses, how far are those houses away?

Mr. Zuraf: There probably are some houses that are closer.

Mr. Randall: Okay, but they're not in a, but they're not in an RPA, right? They're not, there wouldn't necessarily be an RPA?

Mr. Apicella: It would still be the 150 feet. What you have to remember is that, because I was on the Utilities Commission when this thing was scoped out, they put the reservoir in the middle of a bunch of already existing homes. So in some cases, it may not be 150 feet, just because of the way...

Mr. Randall: That would be the reason why.

Mr. Apicella: I doubt that somebody built a house, you know, 50 feet from the shoreline after it was already finished.

Mr. Randall: Yes. We've had that discussion before of what was there first, right, the house or the lake.

Mr. English: The house.

Mr. Randall: And in this case, it would be the house. I do have a couple of other questions. I think we probably...

Mr. Apicella: I've got some, too. If you'd indulge me after...

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Mr. Randall: Please, please, that's fine.

Mr. Apicella: Well, I'm going to let you finish. I think you're going to make a...

Mr. Zuraf: I am finished.

Mr. Apicella: Okay. So, again, I appreciate your indulgence, Mr. Randall and Mr. English. I know this is in your district. And I guess I'm a little passionate about it because I kayak on this lake frequently and have a ground level perspective of what it looks like to be on the lake. So, what is the primary zoning category of the lots, most of the lots immediately abutting the lake?

Mr. Zuraf: A-1, Agricultural.

Mr. Apicella: Okay. And are there any R-1 lots? And if so, how many are, I don't want to say immediately abutting the shoreline, not 300 feet away, but in fairly close proximity to the shoreline?

Mr. Zuraf: I've estimated about 12.

Mr. Apicella: Do you know where those are?

Mr. Zuraf: Yeah, so, a lot of them are in the area... well, I'll just go through starting on the right side. This piece here, there's this property here and there's probably, there might be another one up in this location as well. A lot of it are these open space parcels associated with Stafford Lakes Village. They happen to be separate because they're...

Mr. Bain: And they do have homes on them? Or they're just open space or one?

Mr. Zuraf: They're open space.

Mr. Bain: Okay.

Mr. Apicella: So they're, yeah, so they're not homes. It's just zoned R-1.

Mr. Zuraf: Yes.

Mr. Apicella: Okay. Are there any other large lots, and I'm just going to define that as 12 acres, you can define it how you'd like, abutting the lake?

Mr. Zuraf: Yeah, I counted approximately 8.

Mr. Apicella: Okay. So help me understand how, and I don't know what the size is of some of these R-1 lots. This is... this lot is pretty big compared to the ones that you marked, most of the ones that you marked off that are R-1. This is 3, 4, 5 times the size of this... this A-1 lot is about 3 or 4 or 5 times the size of the ones that you marked off as R-1 lots. So, help me understand. There was a lot of discussion about the growth pattern of this lot in relationship to Stafford Lakes, but not a lot of discussion about the growth pattern along the shoreline of Lake Mooney. So help me understand how high density R-1 lots in close proximity to the lake fit with the growth pattern and development along the shoreline of the lake as it currently exists.

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Mr. Zuraf: So, yeah, generally... alright, let me... to maybe explain it this way. Your Urban Service Area is essentially this whole section, this kind of peninsula of the, adjacent to the reservoir. Most of the other sections surrounding the reservoir are outside of the Urban Service Area. They're designated agriculture/rural...

Mr. Apicella: I got you that it's... there's a bit of a quirk here. And maybe it's a matter of how the line was drawn to make it easy, but I'm just looking... this is a very good visual here. I don't see a lot of houses along the shoreline. Am I missing something?

Mr. Zuraf: There are a few but...

Mr. Apicella: A few. I'm just saying there's not a lot of houses along the shoreline. It's a pretty big shore... how big is Lake Mooney?

Mr. Zuraf: I can't say.

Mr. Apicella: It's 520 acres. Do you know how it compares in size to some of the other reservoirs?

Mr. Zuraf: It's the largest reservoir in the County.

Mr. Apicella: You could fit all of Stafford's reservoirs in Lake Mooney and then some. What's the, aside for the lake's primary purpose of being a reservoir, that's obviously clear what are the other intended uses on Lake Mooney?

Mr. Zuraf: Recreation, non-motorized boating, and fishing.

Mr. Apicella: Have you ever been out there? Have you had a chance to go out there and kayak?

Mr. Zuraf: I've kayaked on that, yes.

Mr. Apicella: I asked, and I don't know if you were able to do it in your presentation, for a different kind of... an actual visual of the entire Lake Mooney. Were you able to do that?

Mr. Zuraf: Yes.

Mr. Apicella: Okay, that's not the one I was hoping for, but. So you know that I sent you a couple, and it's going to be hard to see, and unfortunately, hard to see for the two or three people watching on TV. There's a lot of green around Lake Mooney, I mean, a lot of green. It's very, in my opinion, it's very pristine, it's a treasure, it's a natural treasure in Stafford County. So when you say that there's no negative impacts, I'm just trying to conceptualize that, in my mind, when we've got a proposal in front of us that would increase the amount of density that's allowed. Two houses on a 12-acre parcel now, right, based on the current lay of the land in A-1 versus 26. That's 10 times the amount of homes that would be allowable under the A-1 zoning and over 1,000% increase. So I'm just, I'm just trying to understand, in my mind and wrap my head around the notion that there's no negative impacts. Maybe we think of it in a different way. But for someone who uses the lake, for the dozens or hundreds of people in a week who go out there, having a dense R-1 housing development close, very close to the shoreline, I'm not... I don't understand how that's not negative.

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Mr. Zuraf: Well, our recommendation is based on the guidance and the guidelines in the Comp Plan that apply. And, you know, as I mentioned, the new comment about a 150-foot buffer, that's something new that, you know, if that, staff will find a little bit more information out about that and the basis for it. And that may, you know, change, or add to the negatives, if there's a basis for that suggestion, and the need to increase the buffer. But right now, our I guess pros and cons and the overall evaluation is based on the limitations of the Comp Plan guidance.

Mr. Apicella: And no one has determined that there, aside, again, I presume there's a reason why there's that 150-foot buffer, in part to keep things in its natural state. Also, to have a natural vegetative buffer between houses and a reservoir that we use for our drinking supply. So it seems to me that there might be other potential environmental concerns that could occur by putting a dense housing development close to the shoreline. What's the topography on that?

Mr. Zuraf: You do have... it's generally you know, gradually sloping, down towards the reservoir, but you do have some areas basically within, mostly within the RPA, where you have some steeper slopes that go down to the banks.

Mr. Apicella: Right, but in some cases, it does sloped down towards the lake.

Mr. Zuraf: Yes.

Mr. Apicella: And so just, it's not even theoretical putting 20... the difference between the amount of runoff from two houses currently allowable on this parcel versus 26. It's got to be significant in my mind, everybody wanting to fertilize their yard once or twice a year. And everything else that people do.

Mr. English: Plus runoff from construction.

Mr. Apicella: Yeah, runoff from construction. I mean, have we thought about that as well, in terms of, I'm going back to the statement, I'm not trying to beat you up on this, Mike, but it seems to me just as an objective observer, that saying there's no negative consequences other than, you know, traffic during construction, that just doesn't... it seems like there's got to be more than that, in this particular case, given where this lot sits and its proximity to the shoreline of Lake Mooney, and the pristine nature of the entirety of Lake Mooney.

Mr. Zuraf: Just to address the, like with construction, you know, that we do have specific and strict E&S requirements that have to be met, you know, and that's kind of dealing with the runoff during construction. And the applicant and developer and builder needs to stabilize things and stabilize the lots before they can, you know...

Mr. Apicella: I'm just going to ask one more environmental related question. It's not just a reservoir that's used for drinking water. People go out there and fish, there's several different kinds of fish out there, too, right?

Mr. Zuraf: Right.

Mr. Apicella: Okay. I'm sorry, Mr. English.

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Mr. English: You said earlier that you don't, unless somebody reports it, you don't know what's going on. So, if you got construction and stuff goes in there, probably the only people will be reporting it would be utilities, right? And I'm sure they're not going to be manning that and watching if that went on.

Mr. Zuraf: Well, while construction is happening, there's definitely County involvement in the permitting and checking the clearing limits. So, it's the after the fact, after people move in, after a few years, and you know, the oversight is not there.

Mr. English: Okay. My question to you, we get a lot of emails from this; I did. Did you all put any notifications out to the homeowners around there that this was coming up? Because I think if they knew this was coming up, this place would probably be packed. So my suggestion is, if we're deferring, I'm going to make a motion and we'll defer it but we need to get, I want everybody around that area that needs notification about what's going on there.

Mr. Apicella: Mr. English, could I piggyback off that?

Mr. English: Sure.

Mr. Apicella: I think everybody who lives around the lake, the entire circumference of... *inaudible, being talked over.*

Mr. English: I'm fine with that, I'm fine with that. That needs to be... and then also with the homeowners association, how many homeowners associations are in Stafford Lakes? Are they all combined to one? Or is it like they kind of drift... like this might be a separate HOA itself. Are there different ones? Or do you know, Mike?

Mr. Zuraf: My understanding is it's one... *inaudible two talking at once.*

Mr. English: One. So, it's one main one, it's up front near the Walmart, that's where their H... Okay. So maybe if they can also, I don't expect you to do... because I know there's thousands of homes in Stafford Lakes, but make sure that the HOA gets a letter that they can also get the word out, too, about this.

Mr. Zuraf: We did notify the HOA because they're the abutting property owner.

Mr. English: Okay. Alright, that's fine.

Ms. Barnes: And I just want to piggyback off that, too, because as far as notifications going, this is, this is going to set a precedent on this lake, this development getting this close to the shore, which could have future effects on all of the people who live around what is now a very well buffered neighborhood. So that's why I think that it's not just necessarily the people that are there. But this has, I think, some serious consequences in the future for other property owners and developers that are going to look at this and say, hey, this is a good idea.

Mr. English: Right. There's million dollar homes here, on the lake.

Ms. Barnes: Yeah, yeah. So, I agree it should be, it should be... Well, that's for you guys to work out. But it's got to be much bigger than it is.

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Mr. English: Yeah. And what is in, I don't know if you should answer this or the applicant, what's the price point on these houses?

Mr. Zuraf: I'll have to defer to the applicant.

Mr. English: That's fine. Okay. That's all I have right now, Mike.

Mr. Apicella: Other questions? I know you had some Mr. Randall.

Mr. Randall: Yeah. A couple of quick questions. So there was something brought up about, and again I'm going to give credit to the email that I received for this, were these 12 acres part of the open space and green space requirements for Stafford Lakes when it was first built?

Mr. Zuraf: No, no.

Mr. Randall: It was not.

Mr. Zuraf: No.

Mr. Randall: Okay. So this was land what, that we just forgot to build on when we built Stafford Lakes?

Mr. Zuraf: It was just not part of Stafford Lakes. It was never owned...

Mr. Randall: So, it was a separate ownership then.

Mr. Zuraf: Yes. The property was even... it was a larger property that extended across the reservoir. The County acquired the portion of the property where the reservoir sits. And so basically the property was divided by the reservoir.

Mr. Randall: Okay. And we don't expect that there'll be access to the lake from these homes?

Mr. Zuraf: Well, there was shown an access easement down at the end of the one... Oh, from the home, each individual home they, right now they don't have frontage on the lake. There's open space and actually the County owns the land, strip of land between the water and the lake. And there are restrictions as to what people, you know, they can't go and build docks or anything like that.

Mr. English: How much does the County own from the lake... I mean the shoreline? How much do they own?

Mr. Zuraf: Well, it's from this, I don't know if you could see the strip where the blue line is, to the water.

Mr. English: Guesstimates?

Mr. Zuraf: I'd have to guess 20- to 30-foot or... well, maybe about a 40-foot strip, 30- to 40-foot strip of land.

Mr. English: The County owns?

Mr. Zuraf: Yes.

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Mr. English: Okay.

Mr. Randall: So talk to me one more time so I'm clear on what the County's requirements are for RPAs, and building in the RPAs, or clearing in the RPAs. Tell me what we're doing. I see where we are. If you go back to the GDP, you know, we see where we are at 100 feet, and that cuts into some of those homes. You know, if we make it 150 feet, it cuts into other homes, notwithstanding the road issues. Tell me what I can and can't do by County Code in that RPA.

Mr. Zuraf: You cannot grade for homesites. You can't go and just clear and grade. You can cross RPA with a road; if there's no other way for access, a road, a street can cross the RPA. So, in this case, you know, I think this initially came in... well, an earlier version may have had some encroachment into that. But the RPA here, you're not allowed to just clear to run a road along the RPA. So it would be okay if they were crossing it. But since they're running along the RPA parallel, they have to avoid it. And that's why the road has that jog to it.

Mr. Randall: Sure.

Mr. Zuraf: And I've been away from dealing with the environmental part of it for a little while, so I had some knowledge from what I did that year, this years ago but I believe you can still go in and clear out underbrush. I think it's anything less than three inches in diameter can be removed or weeds and anything like that. *Inaudible, being talked over.*

Mr. Randall: So hypothetically, looking at this and looking at your very well drawn 50-foot additional buffer, I could build on 15, for example, and have that RPA come up within 15 or 20 feet of the house, and then clear all the underbrush and just have like a regular wooded backyard, right? Is that what you're telling me?

Mr. Zuraf: No, they'd have to be 35 feet from that... well, no, the 35-foot is from the RPA limit. So they could build as close to that 150-foot if, you know, because the 150-foot buffer is just an undisturbed line.

Mr. Randall: Right, not an RPA buffer.

Mr. Zuraf: Right, right.

Mr. Randall: So they could get right up to 150-foot. Now is the undisturbed buffer still the same requirements as an RPA buffer, where we say an RPA you can clear underbrush? Does that also apply to the 150-foot undisturbed? Or does that really mean undisturbed?

Mr. Zuraf: Well, I think we'd have to get a little more information because this is all new to us.

Mr. Randall: I'm sure Stacie's taking copious notes over there as to questions. But again, these are all questions that we need to know about whether or not that's the difference in the RPA, the difference in undisturbed, what they can and can't do, what the road would look like, you know, for those types of things. Right now they've got the... they've got the retaining wall outside, which is why they dog the road. Right? Can I put a retaining wall in the RPA?

Mr. Zuraf: No.

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Mr. Randall: Does it have to be a bridge? You know, those types of things are all questions that we're going to need to see again, and then obviously a new GDP and the whole nine yards. I don't think I have anything else for you, Mike. Thank you.

Mr. Bain: Would there be deed restrictions on what could be done? Because I'm envisioning somebody buys the house five years from now, they decide, you know, I'd really like to have a brick patio and a swimming pool in my backyard. And there's no line on the ground that shows where either the RPA or the undisturbed buffer lines are. Yes, they would have to come to the County for a building permit, but would that even be considered? Because there's so many other things they're looking at in those permits, you know, would it be overlooked? Could it be overlooked? So the...

Mr. Zuraf: It would probably need to be part of the proffers because then that could be caught that way.

Mr. Bain: It would have to be. Okay. And that would be legal. We could require that as a condition of the CUP.

Mr. Zuraf: Well, I don't know about require that. As far as a conditional use permit that, again, I think we need to get a little more information on the 150-foot setback.

Mr. Bain: I agree. Yeah, I'm just trying to envision what, how could we restrict and protect that area? Another quick question, and maybe for the applicant. They're going to be served by water and sewer. Does the sewer flow by gravity out of that development? Or will there have to be a pump station? And if there's a pump station, there's always the potential for station failure, and a tremendous impact on the reservoir if there's an overflow.

Mr. Zuraf: I defer to the applicant on how the intent for how this is going to be engineered.

Mr. Bain: Sure.

Ms. Barnes: Can I go back to something that Al was talking about, with as far as the CRPA goes, why doesn't the County discourage anything within that CRPA? I mean, that CRP is supposed to be kind of sacrosanct, you don't touch it. So I mean, when people come in and they put those lots in the CRPAs, you're really giving up a lot of control over that, and it is supposed to be untouched. And if you've got people there, you know, they may come for a, for a permit, or they may just clear it because they want a dog, you know, a place to run. So I don't understand why the County doesn't, you know, I don't know if you legally can't, but can you not discourage if it's a CRPA, no lots within that.

Mr. Zuraf: Yeah, there are some... some of them may be tied to the State Code as to what the County can legally require or not require, we'd have to look into that.

Ms. Barnes: I'm looking at Jeff, if he knows that.

Mr. Harvey: Chairman Apicella and Commissioner Barnes, there is no prohibition from having RPA on a lot. It's best practice is not to for the reasons that was discussed about potential encroachments. But in some cases, by necessity, it needs to be based on the ownership of the property and how the property is configured relative to the resource that's to be protected. With regard to our Code, again, Mike has answered pretty much what the Code says; it's supposed to be undisturbed with some limitations, or exceptions that can be permitted. However, we also require through our permitting process, that when they file for the building permit, they also have to post a sign on their property showing where the limits

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of the RPA is on an individual lot. So that's to give that homeowner notice as to where they basically can maintain their yard not maintain their yard. But...

Ms. Barnes: And that's not in perpetuity, that homeowner could buy it, remove it, the next homeowner could come in and not even know.

Mr. Harvey: And some developers have put some of those RPA areas into conservation easements. And that provides additional protections, too, because that's a permanent encroachment on that property. So it's restricted space on that property. So every time someone sells it, the future owner gets to see where all the easements are and restrictions and is made aware of that restriction in that area. Often times those conservation easements run to the benefit of the HOA, again, helping to maintain the quality of the community.

Ms. Barnes: And when you say sometimes it happens, those lots are, are drawn that way out of necessity and necessity, maybe in this case, meaning lot yield? I don't ... I'm not sure what the necessity here was, except for wanting to cram as many houses in there as they could? Maybe that's a little rhetorical. My last question is just so that everybody understands, we talk about this being in an area where the County expects growth. This is in... this is within the Urban Services Area, but this is *not* in a Targeted Growth Area and I want it, for those two people that are at home listening to us, no this is not in a Targeted Growth Area.

Mr. Apicella: It's only one person now.

Ms. Barnes: Yeah. And just as a comment, when I look at this development, and when I look at, you know, I've got Google Maps pulled up, I've got the County GIS pulled up; this, to me, looks like a real outlier. The lots are smaller, it's much closer than almost anything else that I can see. The nature and... at least and I know this is an opinion, the nature and the character of this development is very different from the rest of Stafford Lakes, especially looking at the lots that are right next to them. Some of those lots are twice the size. So, you know, I know that it's just an opinion, but to me, this is not consistent with Stafford Lakes. It's an outlier. That's all I have.

Mr. Apicella: I do have one or two additional questions, Mr. Zuraf. I understand, I could be wrong, that there was a Reservoir Protection Overlay District in the Comp Plan. What did that say and why did it get removed?

Mr. Zuraf: It was a proposed ordinance. And I know a little bit about it; they recommended increased buffers along the edge of the reservoirs up to, I believe, 200 feet. And also recommended buffers along intermittent streams. And that was the big one is the increased buffers from, for development along the banks of the reservoir.

Mr. Apicella: Is that something we can get a copy of? It was a proposal?

Mr. Zuraf: Yes.

Mr. Apicella: And I know I asked this question earlier today, for some context, and I don't know why it's taken me 10 years to ask this question. But what is the distance from the back wall over there, or the entry, to this wall over here?

Mr. Zuraf: Roughly 50 feet.

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Mr. Apicella: Roughly 50 feet. So the RPA is two times the distance from this wall to this wall. And the additional 50 feet is just three times the distance. Just for some perspective of what that would look like sitting on the ground at one of those house lines. No, Jeff went out with his cell phone and measured it this morning for me, so, I thought it was more than 50 feet, but you're pretty sure that's accurate, Jeff, right?

Mr. Harvey: Yes, I measured it twice.

[Laughter]

Inaudible, microphone not on.

Mr. Apicella: Yeah, you did tell me that. He's an engineer. He figured it out all in his head. Alright, that's it for me. Any other questions for Mike? Thank you so much for bearing with us. Would the applicant like to come forward?

Mr. Pyle: Good evening, ladies and gentlemen of the Planning Commission. Mr. Commissioner. Neither of us are Charlie Payne of the law firm Hirschler.

Mr. Apicella: That may be a good thing.

Mr. Pyle: I'm Bill Pyle, with Bowman Consulting. This is Lee Wingo with Drees Homes. We don't, we had a presentation, but I don't think we're going to go through it. I think Mike covered everything very well. If you don't mind, I will touch on some of the earlier questions. And then you can continue to grill us. Mr. Bain, your question about the construction of the wall. It's a fill wall from the RPA into the site. So where the wall is drawn with the two small parallel lines, the footer might extend eight inches beyond that, but then all the disturbance will be uphill away from the RPA. Mr. English and Ms. Barnes, your question about the RPA. Jeff covered that as well. The requirements for each individual grading plan when/if this comes through, will require a CRPA signage to be posted and remain in perpetuity on each lot, limiting, you know, demarcating the edge of the RPA. No disturbance beyond that point. What else did we have? Just a kind of an overall scope issue. As Mike had pointed out, this originally was one relatively large parcel owned by the Orris' that extended all the way from Stafford Lakes; it was not owned by the original development of Stafford Lakes, all the way across to Rocky Run Road. And the reservoir took it... I don't think this is the technical term, but a ginormous chunk out of the middle of their property. G-I-N-O-R-M-O-U-S.

Mr. Apicella: And can you give us the Wikipedia definition?

Ms. Barnes: Can I ask a question about that as far as the lot goes? One of the emails actually said that originally the lake, the level of lake was supposed to be higher and that that was, that portion or a great deal of that portion of that parcel was supposed to be underwater at some point in time. But it didn't end up being that high. And so there was more dry land that I think is 12 acres here. Do you have any information on that?

Mr. Pyle: I think the original proposed water surface of the lake was 232 Jeff? As opposed to 226, like it is now, so it was six feet higher. As Mike had pointed out, the slopes along the RPA are relatively steep, they're probably 3:1, give or take. So another six feet was probably 20 feet closer horizontally into the, into the property. The original water surface was going to be there. It could help if I could read my own handwriting, in the back trying to scribble. Oh, Mr. Bain, your question about the RPA. Both

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the undisturbed buffer, if that's requirement versus recommendation, we're still trying to figure that out. We got the email about four and a half hours ago. So that's how long we've known about that. Both that and the RPA would show up on the record plat. So it would be there for, you know, anybody buying any of those lots. It would show up on their plats as well. And as Jeff had mentioned, the lots are allowed to contain RPA and the RPA can't be disturbed. I think that was all I had from my poorly scribbled notes. Did you have anything to add, Lee? Or just see what they have for us?

Mr. Bain: Did you have a comment about the sewage, whether a pumping station...?

Mr. Pyle: Oh, yes, I didn't write that down. Yes, it is gravity sewer. There's an easement. I think I hit something accidentally with my sausage-like fingers. Let's get to the gravity. Yes, there's a gravity sewer easement right in here. So, and we've looked into the elevations of the inverts of the manholes and we can sewer the property to this point right here. Ah, the other point about the 150-foot undisturbed buffer. That would sit right about here in the road. So I've scaled it back, they're on my hard copy of the plans. We have about 55 feet that we would have to stuff a road in. So it's, it would basically render the property probably unusable and it would make the Orris' extremely unhappy.

Ms. Barnes: I have a question for the home builder. And I've been through a couple of Drees homes and they were beautiful, and I loved them. What I've noticed, though, is that looking through this, are there any single level homes at all planned for this development?

Mr. Wingo: Not for this development.

Ms. Barnes: Any particularly reason why? Because that's one of my biggest disappointments and looking at a lot of homeowners... home builders is they're not including any single level homes. And there's a lot of people in Stafford that are really looking for that.

Mr. Wingo: The short answer is we wanted to be a little more... sorry. So the short answer would be we wanted to be a little more and I'll say upscale in that regard, like bigger homes for this area here. So typically our single level is a smaller type home that we use in for instance like Embrey Mill.

Ms. Barnes: That's the one I've been in is a single level into Embrey Mill. There's nothing not upscale about that.

Mr. Wingo: I know.

Ms. Barnes: It does have a larger footprint. You may not be able to build as many houses. But I'm telling you, when I see developments now and I don't see the kind of variability for different stages of life, it really disappoints me. I think you guys are missing out on something.

Mr. Wingo: Well, we tried, as a matter of fact, at Embrey, if I use that example, they were like 50-foot wide lots. So they sold but they weren't a great seller for us. So we kind of shied away from that. So as we, we weren't the developer there, but as we were buying more finished lots there, we went away from that to a larger product. And then it was a two-story. So we tried that for a while. They're beautiful, yes. Matter of fact, David Drees loves those but, but it was just something feasibly, we were like, eh, we need to go up a little higher, and maybe get some more square-footage, particularly even in this subdivision.

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Ms. Barnes: As a homebuyer, my experience is the opposite. As soon as there's a single level on the market, that thing goes so fast, because there's just so few of them.

Mr. Wingo: Well, now, we have some, you know, first floor master, so sometimes that will take a little bit of substitute off of that. So we have that type of floor plan. But, yeah, for this one in particular, not just a single level.

Mr. Apicella: Other questions for the applicants? Alright. Thanks, gentlemen.

Mr. Pyle: Alright.

Mr. Apicella: I'm going to open the public hearing on this item. Again, for anyone in the audience interested in commenting, you have up to 3 minutes to speak. The time starts when the green light appears. Yellow means there's 1 minute left. And green... I'm sorry, red means wrap up your comments. If anyone's here who would like to speak on this matter, please come forward. Alright, Mr. Harvey, I believe we do have some comments that were submitted in writing.

1:25:03

Mr. Harvey: Yes, Mr. Chairman. So Ms. Stinnette will time me and I have 3 minutes just like any other speaker before the Commission. The first email we have is addressing both items 5 and 6, and 3 and 4 in that order. So I'm going to speak to the comments related to this public hearing tonight. The first comments we received were from Justin Ranson:

There's a reason that we have by right development. Stop approving denser residential development where it's not already allotted. We do not have the schools, emergency services, and infrastructure to support it. Have you seen Route 17 on a Thursday or Friday afternoon? I can't get my daughter to work or practice less than five miles down the road in less than half an hour. Rocky Run Elementary School is over 107% capacity with four classrooms shunted over to trailers. Do not allow a developer to build 25 more homes in a spot approved for two, right next to our drinking water reservoir. You guys keep making irresponsible allowances to the benefit of the developers and the detriment of the residents. It's okay to say no to developers, let them threaten to go to Spotsy, we're all ok with that.

The second message we received was from Sarah Evans. Starts:

Good afternoon. I'm unable to attend tomorrow night's meeting in person, so I'm writing to convey my strong opposition to the proposal to rezone a 12.78-acre section of land adjacent to the reservoir in Stafford Lakes. This lot has high environmental value as a wildlife corridor, is adjacent to public water supply, and adjacent property owners have not been notified or consulted by the developer. First as the homeowner of an adjacent lot to the proposed development, 39 Manorwood Drive, I'm shocked to have learned about this proposal through an unofficial Stafford Lakes Facebook group. As I understand it, the developer is using a loophole to avoid informing homeowners. According to a neighbor, the HOA technically owns a 10-foot strip of land separating my lot from the proposed build site, which currently serves as a much needed refuge for wildlife. But more on that later. And this has not notified... and thus has not notified any homeowners in Stafford Lakes. Let's be honest here. That is just sneaky low-life behavior by the developer. My neighbors and I are shocked, dismayed, and angered that they have not

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been duly notified or consulted in any manner. This is unacceptable behavior. This is a proposal to build 25 single-family homes in a tiny strip of land that serves as an important buffer for wildlife and abuts public drinking water. When Stafford Lakes was originally built, the 12 acre lot was designated as green space. In fact, the reservoir water level is lower than originally planned in this area, and was supposed to be part of the lake. We bought our house with this promise made by the developer. We understood that the Stafford Lakes developer had to maintain this area as green space as part of the overall development plan, thus why it is not zoned for building at this time. What do WHR, Department of Health, and land use authorities have to say about the developer's request to rezone this critical environmental area? I would ask the careful review of the following: (1) Does rezoning of this lot violate the original agreement to maintain green space and setbacks agreed to when the Stafford Lakes development was initiated? (2) I paid a premium for my lot because the adjacent land was identified as green space/wildlife buffer. This is true for all the lots on our block and Manorwood. Since we were not even notified by the developer of this proposal, how will our views be taken into consideration? Our property values will plummet if this development is approved. (3) The development of this lot maintain health and safety standards for our public drinking water supply including setback requirements. And (4) What do the Department of Conservation and Recreation, DWR Environmental Services Division, etc., have to say about changing a buffer zone adjacent to a public drinking water supply to build on this lot at such high density?

My time is up. The third comments we received were from Aaron S.:

Good morning. I'm writing in reference to the public comment for RC20155340. As a resident of the Stafford Lakes subdivision, I think a decision allowing further development closer to the lake would be made without the best interest of the current residents in mind. From an environmental and nature loving perspective, having homes built that close to the lake is disappointing. This will take away from the beauty and serenity of the lake. And at what point is enough development enough? The density for the proposed new lots is much higher and the proximity to the lake is concerning. One of the big reasons Stafford County attracted us when we moved here was that, that while it was... while it had all the opportunities of a large city, a respected and honored green space, and nature without over developing, well, there may be room to construct 25 new homes. The question is, at what cost and what benefits are truly gained from this. My understanding is that current code requires adjacent property owners to be notified of rezoning, but because the HOA owns a small strip of land behind the homes, existing residents were not required to be notified. While this may be sufficient the codes, this is extremely unfair to the current residents who will be drastically impacted by the construction, the disruption, and the proximity to their current properties. I find this extremely unfair to the property owners who've also purchased homes that back up to the greenspace who may have paid for a premium or may have paid a premium for lots due to the green space and lake views in the winter, who have lived here for years and now may potentially have to look forward to construction equipment and noise if this is approved. Their lots may be devalued and I just think this would be a poor decision not made with current residents and property owners in mind. I appreciate your time in reading this email and ask that you consider the impact this change would have on existing property owners before making a decision. Thank you and have a great day.

And then the final comments we received was from Beth McWilliams. It says:

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Dear Planning Commission, I'm contacting you about the lot up for rezoning between Stafford Lakes off Manorwood Drive and Lake Mooney. My property is adjacent to this lot and my concerns are as follows. One, currently there are zero seats available at Rocky Run Elementary, which is over 100% capacity. Students are already learning in trailers. I'm not opposed to the land being developed but I do think the request for a rezoning would be too dense. Two, this is a very small area of land that is very close to the reservoir. I'm concerned about such dense housing plus a new road so near to our water source. I'm wondering if you have walked this area to see how narrow it is. Again, I'm not opposed to homes being built on this property. The current zoning as it stands is appropriate and should not be changed. Thank you. Beth Fowler.

Mr. Apicella: Thank you, Mr. Harvey. Okay, so I'm going to leave the public hearing open. I know we've requested pretty extensive public notice for the next time this comes up. So I'm going to bring it back to the Commission. Mr. English, this is in your district. How would you like to proceed?

Mr. English: Jeff, what is the schedule? I mean, or Stacie, what's the schedule look like the first meeting in October? Are we good? I mean, we don't have anything.

Mr. Harvey: Commissioner English, in order to make a Board schedule for October, the Commission essentially would have to vote on the item today. Is that the question you're asking?

Mr. English: No. I'm just wondering, which is... I mean, what's the public hearings look like for a second meeting, I mean the first meeting in October? I mean, for the Planning Commission.

Mr. Harvey: Sorry, I was distracted with another question.

Mr. English: No worries.

Mr. Harvey: The first meeting in October, I don't... yes, yes. We're targeting the Comprehensive Plan for a public hearing, so that will be a fairly busy day.

Mr. English: Okay. So the second meeting in October then would be okay, you think?

Mr. Harvey: It should be.

Mr. English: Okay, then that's... okay. I'm going to make a motion that we defer it to the second meeting in October for RC20153402 Reclassification.

Ms. Barnes: Second.

Mr. Apicella: Okay. There's been a motion and a second to defer this, these two items to the second meeting in October, which is October 27th. Any further comments, Mr. English?

Mr. English: Mike, is that going to give you all enough time you think? Okay, no, that's it.

Mr. Apicella: Ms. Barnes?

Ms. Barnes: Can I ask what's the deadline? What's the deadline on this one? What's our sell by date?

Mr. English: December 17th.

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Ms. Barnes: Thank you.

Mr. Apicella: Anybody else have any comments? Actually, I have a question. So what I heard the applicant say is if the 150 feet winds up being aligned in the sand, so to speak, that it makes this project unviable. So at some point in time, would we know, would they potentially withdraw the application and then we might take it off of our agenda? I'm just trying to figure out the path forward here. If it basically is not work, I'm not saying it is. I'm just saying it's the possibility from what I heard is that hypothetically, see if I could use some other words along with that, theoretically might not come to fruition. So I'm just trying to look at the art of the possible here in terms of just going by the wayside.

Mr. Zuraf: We'd have to, again, look at the issue a little bit more than, you know, give the opportunity for staff and the applicant to kind of digest the comment and get more information. And yeah, I have to defer to the applicant.

Mr. Apicella: So the reason I ask that is, we're asking, we're going to give public notice to a substantial number of people, I don't know when they're going to get that public notice. But things are subject to change. So people are going to have expectations, this is going to show up at the meeting in late October. And that may happen or it may not happen. How do we let people if we're sending out notice on, you know, fairly quickly, I guess we might want to wait a little while before we send notice.

Mr. Zuraf: Yeah, notice usually typically...

Mr. English: Can you put that in the notice that they need to...?

Mr. Zuraf: Typically, notice is not going to be until I think 10 days in advance of the meeting?

Mr. Apicella: Fifteen days.

Mr. Zuraf: ... 15 days in advance. So two weeks, you know, so that's getting into...

Mr. Apicella: So that'd be roughly mid-October-ish, that we would probably know. That's about a month, not quite a month... well, it's a little bit more than a month from now.

Mr. Zuraf: And I think by then we would know, and I'm sure the applicant would have an idea of what they're looking to do.

Mr. Bain: Mr. Chairman?

Mr. Apicella: Yes.

Mr. Bain: If we could just to clarify, the 150 feet is a recommendation? Or will it in some way be a requirement?

Mr. Zuraf: My understanding is it's a recommendation.

Mr. Bain: Just a recommendation. What would the Commission legally be able to do if the applicant said, I'm not gonna conform to the 150 feet? Is there, is there that option that they could just say, no, we're gonna ignore the 150 and just use the RPA boundary? What could the Commission do if that was the case?

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Ms. Lucian: I don't think we have enough information as to what that buffer is, at this point, to give you an answer on that. From what I hear, it's either a recommendation or a requirement. I just don't have enough information to tell you, but it's something I can look into.

Mr. Apicella: And that's why I use the word the applicant may decide to withdraw. Not knowing potentially how this Commission is going to make a recommendation, or what the Board is going to do and how much more time and effort they want to put into a project, this project, given those set of circumstances. I'm not telling them what to do or what they should do. I'm just, I'm just worried about setting an expectation for a lot of people who are going to come here on the 27th and this not be on the agenda.

Mr. Zuraf: We, as staff, can talk to the applicant and just maybe make sure they, if at all they're thinking about that, that they kindly let us know before we send the notice.

Mr. Randall: What's your expectation to kind of nail down what some more details about that extra 50-foot?

Mr. Apicella: Hundred and fifty... well, extra 50-foot, right.

Mr. Randall: The extra 50-foot. Is that something that you plan to nail down in the next couple of weeks? Do you think that it's going to take through the end of the month, you know.

Mr. Zuraf: I think in the next couple of weeks we should have it all pretty clear.

Mr. Randall: Pretty clear, correct. And so some of the decisions will be made in plenty of time before the 15th, 12th... if you give them 15 days from the 27th, that would be the 12th... before those notifications need to go out.

Mr. Zuraf: Right.

Mr. Randall: So there should have... the public should have plenty of time and the applicant should have as much time to determine what their go ahead is for this type of project depending on the extra 50-foot outcome, correct?

Mr. Zuraf: Yes.

Mr. Randall: Alright, thank you.

Mr. Apicella: Alright, so again, I was just asking a technical question for clarification. So there's a motion to defer to the second meeting in October, both items 3 and 4, the Reclassification and CUP associated with Orris Estates. Please cast your votes. Mr. Cummings, how do you vote?

Mr. Cummings: Yes.

Mr. Apicella: Okay, great. So that motion carries 7-0. Alright, Mr. Harvey, moving on to the next agenda items.

5. RC21153707; Reclassification – Berea Market, Take 5 - A proposed zoning reclassification, with proffers, from the B-1, Convenience Commercial Zoning District to the B-2, Urban Commercial

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Zoning District on Tax Map Parcel No. 44GG-3, consisting of approximately 0.75 acres (Property), to allow for the development of an automobile service facility. The Property is located on the east side of Warrenton Road, at the intersection with Stafford Lakes Parkway, within the Hartwood Election District. **(Time Limit: December 17, 2021)**

6. CUP21153711; Conditional Use Permit – Berea Market, Take 5 - A request for a conditional use permit (CUP) to allow an automobile service facility in the B-2, Urban Commercial and HC, Highway Corridor Overlay Zoning Districts on Tax Map Parcel No. 44GG-3, consisting of approximately 0.75 acres (Property). The Property is located on the east side of Warrenton Road, at the intersection with Stafford Lakes Parkway, within the Hartwood Election District, and is subject to a concurrent zoning reclassification request. **(Time Limit: December 17, 2021)**

Mr. Harvey: Mr. Chairman, items 5 and 6 will be presented together. They are a proposed zoning reclassification and conditional use permit for a project known as Take 5 Auto Service, and Kathy Baker will be making the presentation.

Ms. Baker: Good evening Mr. Chair, members of the Commission. Kathy Baker, Assistant Director of Planning and Zoning. Can I have the computer please? This Berea Market, Take 5 Reclassification and Conditional Use Permit includes a request to rezone .75 acres from B-1, Convenience Commercial to B-2, Urban Commercial, and the conditional use permit would be for an automobile service facility in the B-2 zoning district, as well as the HCOD, Highway Corridor Overlay District. This is the location and the zoning map of the property. You see the parcel highlighted in blue. It's located on the east side of Warrenton Road just at the intersection of Stafford Lakes Parkway. It also has frontage on Fleet Road and there a private connector road, which is referenced as Fleet Connector Road on the southern portion of the site. The adjacent properties to the north and south are B-1, and to the west you have properties that are zoned B-2, Urban Commercial. To the east are A-1, Agriculturally zoned properties. Looking at an aerial view of the property for the existing conditions, you'll see again the parcel highlighted in blue. The... to the left being Warrenton Road and to the right of the screen is the Fleet Road frontage, and if you'll notice the Fleet Connector Road the property line of the property actually runs to the centerline of this private road. The other property to the south owns to the other centerline coming across the Fleet Connector Road. You'll see the property has been previously graded. That was part of an overall development called Berea Market, and to the north of that you see a bank property that's been developed and to the south is a convenience commercial, specifically a 7-Eleven right on the corner opposite. You'll see that a private travelway was constructed across the subject parcel to the bank property to the north, and that is for shared access by both of the properties. There's a medical office building located on the opposite side of Warrenton Road, and then the property to the east across Fleet Road is undeveloped. You'll notice there is sidewalk that's been constructed along the frontage of Warrenton Road, but that's actually within VDOT right-of-way, and along the Fleet Connector Road, which is on the subject parcel. This is just a street view of the property from Warrenton Road looking onto the property with the bank to the left of the screen. And the street view from Warrenton Road at the Fleet Connector Road, with the 7-Eleven to the right. You'll see the 7-Eleven and that convenience center has their own access on the Connector Road. This is the Generalized Development Plan with the property. You'll see the building, which is a little over 1,400 square feet proposed. You'll see the parking area to the south, which is for customers and employees. And the way that the building is oriented, you would enter the bays in your vehicles, as you see where the arrow is pointing, and then exit on the opposite side of the building. There would be the access from the Fleet Connector Road, so you could enter from Warrenton Road or Fleet Road to get to the access. The again, shared access ways are internal to the property and shared with the bank site. And just to show you an idea of the traffic circulation to get to the building, you can enter again from Warrenton Road or Fleet Road, and come

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into the property this way. This is two-way traffic. Travelways, again, the shared travelways. You'd actually go counter-clockwise around the building and enter the bays from this direction. You do have options for once you exit the building; you can continue back towards the Fleet Road exit; you can also go back through the property to get to either Fleet Road or go back south to Warrenton Road. There is a third alternative which, once you exit the building, you can go across the shared access and there is an exit only onto Warrenton Road on the bank property, which this property also could have access to that. These are the building elevations that are proposed. I will note that you all received revised elevations from what was originally in the staff report; there were just some modifications that had been made but hadn't made it onto the elevations, particularly the Take 5 Oil Change sign was previously shown in the staff report to the left of the building. And so that's been shifted and the three bay doors have been shifted towards the right of the building as well. This south elevation is what actually faces the Fleet Connector Road. The west elevation that you see the smaller is what is facing Warrenton Road. You'll notice there is a door; that's not for customers, that's really for staff and employees. And then you'll see there are some electrical boxes on this elevation; those would be screened from view from Warrenton Road. Proposed proffers include requiring the property to be developed in conformance with the GDP; prohibiting any new driveway entrances onto Warrenton Road; requiring the building to be constructed in conformance with the renderings; and requiring that all signage be of complimentary color and design. The proffers would permit other uses that are allowed under the B-2 zoning district provided that that use does not generate over a thousand vehicle trips per day. And, as you all are aware, the thousand trips per day is what triggers a Traffic Impact Analysis. The proffers would also prohibit certain uses that are spelled out in your package. The proposed conditions associated with the conditional use permit show development of the site, again it should occur generally shown on the GDP with the vehicle access into the service bays should be limited to the south side of the building and that is to allow for stacking of vehicles and not to block that entrance... excuse me, the shared access that's between this proposed building and the bank property. The building shall include no more than 3 service bays. All the service should be conducted within those service bays. Again, no new driveway entrances onto Warrenton Road. It limits the hours of operation; 7:00 AM to 8:00 PM Monday through Saturday, and 9:00 AM to 5:00 PM Sunday. It notes that any vehicles which may be leaking fluids should immediately be taken into the bay for service. And there should be no inoperable vehicles on the property. And just a few more. No outdoor display or storage of automobile parts. Any hazardous materials or products would be disposed of in accordance with our County Fire Prevention Code and other applicable laws and regulations. The dumpster pad on this site will be screened from view with materials similar to the primary building. I didn't point out, but that dumpster site is on the side of the property closest to Fleet Road. The building should be constructed in conformance with the styles and materials on the renderings. The signage, again, should be of complimentary color and design. And then, mechanical equipment located on that west elevation would be screened from the view of Warrenton Road. Lastly, there will be no carnival style flags, banners, or lighting used on the site. The Comprehensive Plan designation is within a commercial corridor in the Suburban designation. So generally, that is commercial and other infill uses that would be located along transportation corridors. Staff notes that this use would be consistent with the land use recommendations in the Comp Plan. It does not change the character of the established pattern of development in this area. The proffers limit the uses that generate more than a thousand vehicles per day. And that the proffers and conditions would help to mitigate any potential negative impacts. And we are recommending approval of the reclassification, with the proffers, as well as the conditional use permit with the conditions as suggested. I'd be happy to answer any questions.

Mr. Apicella: Thank you Ms. Baker. Questions for staff?

Mr. English: Kathy, is...

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Mr. Bain: I have one real quick.

Mr. English: Go ahead.

Mr. Bain: And not really that pertinent to the application. But that intersection with the Fleet access road and 17, is that signalized?

Ms. Baker: Yes.

Mr. Bain: Okay, there is a signal there. Alright. You're sure?

Mr. Apicella: It is.

Ms. Baker: I was just going to show you. My clipping didn't show the...

Mr. Apicella: There's an Aldi there.

Ms. Baker: Yes, the Aldi is south of the 7-Eleven.

Mr. English: Kathy, is that the same Take 5... is that the one that's built up on 610, they're putting that one up on 610 by the...

Mr. Randall: That's a Valvoline.

Ms. Barnes: That's Valvoline.

Mr. English: That's Valvoline, okay. And the bank is okay with the use of the driveways and all that, I mean the shared...?

Ms. Baker: I'll let the applicant address; there should be shared access use agreements with that other property. There are easements on the existing connector. The connector road goes across the subject parcel. And there is an easement across the one that goes between the buildings, but I think there's just a use agreement that goes across to that parking area outside the exit.

Mr. Randall: Ms. Baker, I have a quick question. Could you put up the proffers for me please? That one right there. So, it's the fourth one I'm a little concerned about. Could we say we're going to develop the... so the first one says – I'll get to the fourth one, sorry – requires the property be developed in general conformance with the GDP. And the fourth one says, permit other uses permitted in the B-2 zone provided that it doesn't generate over a thousand uses per day. So, is it 1? Or is it 4? Are we going to do it in design, in development with the GDP with the Take 5 and the automobile thing? Or are we going to allow other uses up to a thousand cars a day?

Ms. Baker: Both. So, it's going... generally, the... generally... the Generalized Development Plan is going to show locations, it's going to show your entrance features and other things that really we're looking to conform with. The fact that it says – I'd have to look back at the GDP to see if it actually says Take 5 on the GDP – but...

Mr. Randall: Well, let's find out. Because right now I've got 120 cars a day. Okay. That's significantly less of an impact to me than the 999 cars that I could have rolling through there with the traffic already

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as bad as it is on Warrenton Road; 120 would be considered... I would consider it no impact traffic because it's probably people who are going to be on the road anyway. Nine hundred ninety-nine probably doesn't fall into that category. So, I'm interested in delving into that a little more. Maybe I'll talk to the applicant about that. But, okay, thank you.

Mr. Apicella: Yeah, can I add something to that? So, let's just say, hypothetically, using that word again, they built the Take 5, next year it's ready to go. Ten years down the road they decide, you know what? We don't want to do a Take 5 anymore. We're going to tear it down and we're going to do something else, and all they would need to do is a GDP, a proffer amendment for the GDP, right?

Ms. Baker: Not necessarily. Again, it's what they're going to propose, you're still looking at what that means to be in general conformance with the GDP. It's not every specific aspect of the GDP. So, again, it's going to depend upon what a different proposal... *inaudible, being talked over.*

Mr. Apicella: Right. But what I'm saying is, in the future they don't have to... it doesn't always in perpetuity have to be a Take 5. They can do something up to 999 vehicles down the road.

Mr. Bain: Well, I would ask, it couldn't be a McDonald's because that would be a drive-through which would require a CUP. So they'd have to come back to do a McDonald's or other fast food.

Ms. Baker: Anything that's going to create anything over that. Now, the GDP... or excuse me, the conditional use permit, yes, is a different aspect, but it doesn't necessarily mean that a proffer amendment would have to be done.

Mr. Apicella: So, could you give us some examples based on the allowable uses that are at the upper end that would not go over the thousand?

Ms. Baker: Off the top of my head, I'd have to see if Jeff may have any suggestions on...

Mr. Harvey: Some other ideas how the property could be used and still utilize the same footprint of the building would be, for instance, if they went from auto service to installing car stereos or something like that, where they're utilizing the service bays; working on the vehicles but it's not necessarily oil change. It's a different... same function of the business as repairing or servicing cars, but not the same activity. Potentially, you could have a situation if the building fit maybe where you could do an activity where there was some sort of drive-in cleaning service, where you got your car auto-detailed within the service bay, things of that nature.

Mr. Apicella: What about a non-drive-through Starbucks? I mean, there's a lot of things that... I mean, it's not a big pad site...

Mr. Harvey: Sure, yes.

Mr. Apicella: ... but there are things you could do there that would increase the traffic flow.

Mr. Harvey: Yes. If there was a way to make sure that the bay doors were no longer in use and it met all the parking requirements, it could be other retail uses in that building.

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Mr. Apicella: And with that, again, it's a small pad site. It's only about $\frac{3}{4}$ of an acre. They'd probably have to add some parking as well. But, is there anything that causes you concern about going up to close to a thousand vehicles per day at that particular site? I mean, there's a signalized road right there as well.

Mr. Harvey: Correct, Mr. Chairman. In this case, due to the limited size of the parcel and the build-out condition for access, staff is not significantly concerned because in this... being along the highway more than likely any use that would generate a lot of traffic is probably going to be a use with a drive-through, which requires a revisit by the Planning Commission and Board through a CUP, if not also a proffer amendment.

Mr. Apicella: Right. Alright, thank you. Other questions for staff? Nope? Thank you very much, Ms. Baker. Would the applicant like to come forward? Is the applicant here? Thanks for waiting for us.

Mr. Jones: I'm just glad I'm not building a house on the reservoir. [Laughter] I'm Steve Jones. I'm Vice President for Silver Honaker Development; we're the applicant. We've owned that lot for probably 15 years. As you can see from Kathy's... Kathy did a great job so I really don't have a lot to add... it's $\frac{3}{4}$ of an acre but it's also $\frac{3}{4}$ of an acre which is eaten up by Fleet Road, the access drive to the bank. It's a very small pad. So this is the absolute perfect user for this. You're probably not familiar with Take 5. I wasn't until I went to visit my son in South Carolina and they're everywhere down in the Charlotte area. They've got 496 current locations in 18 states. They're moving their way into the market. These guys are buyers. They're buying the lot. They'll own the building. That's what they do. So I don't see them changing their concept. It fits well with the flow. There are recorded cross-access easements with the bank. The bank doesn't have an issue with it. So, and we finally got the elevation straight. So we got confusion with the architect, what was north and what was south. But I think he finally figured it out. So we would appreciate you approving this. We think it's the perfect use; quick in, quick out. You stay in your car. They're looking to, you know, they like the senior population of Del Webb up there; that's a good market for them.

Mr. Apicella: So, I'm not saying this is the criteria we use or would normally use, but some of the feedback that we get on some projects are, really? Another one of these? There's probably a dozen places along the Warrenton Road corridor where you can get your oil changed; Jiffy Lube, Good Year, Walmart. I mean, really, a lot of places. So obviously you guys have done your own research and a business plan to see that it's viable in that particular location.

Mr. Jones: Yeah, like I said, these guys have 496 locations. They're not going there on a whim. They've studied the market. They know the traffic flows. They like the location, they like being on a hard corner right a traffic light; easy access, easy in and out. They like GEICO across the street, all those employees would have time to go get their oil changed at lunch. That's just, you know, a lot of positives in that market. And plus it's also a transient road. A lot of people can just pull over and get their oil changed real quick. They get you in and out in 10 minutes supposedly.

Mr. Apicella: Really? I thought you said Take 5? [Laughter]

Mr. Jones: Yeah. I'm not sure how they do it, but they say it takes about 10 minutes.

Mr. Apicella: Any other questions for the applicant? Nope? Thank you. Okay, go ahead Mr. English.

Mr. English: You said the bank, you all worked the issues out with the bank?

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Mr. Jones: We've talked with the bank.

Mr. English: So the bank is all good.

Mr. Jones: The bank didn't have any issue with it.

Mr. English: Okay.

Mr. Apicella: Alright, thank you very much sir.

Mr. Jones: Thanks.

Mr. Apicella: Alright, this is our last public hearing item I think. If there's anyone in the audience who would like to speak on this matter, you have up to 3 minutes. I'm not going to go through the spiel because there's really nobody in the audience. So, if there is anybody hiding somewhere, please come forward now. If not, I'm going to close the public hearing and bring it back to the Commission. Mr. English, this is in your district...

Mr. Harvey: Mr. Chairman?

Mr. Apicella: Oh, do we have a...?

Mr. Harvey: We do have one written comment.

Mr. Apicella: Okay, my fault.

Mr. Harvey: The written comment is from Justin Ranson. It says:

Dear Planning Committee -

When was the last time you heard someone say " Do you know what we need on Rt. 17? ANOTHER place to get your oil changed!" Already between i-95 and WalMart, we have Advanced Auto Parts, Napa, AutoZone, O'Reilly, Good Year, Firestone, Progressive, America 1st, Lail's, JM& Son, Mr Tire, Mayes, 2 collision centers, and on the other side of 95 between it and Rt. 1, Simmons Tire center, Hot Wheels, Tires and Wheels, Unltd, Empire Auto Parts, Stafford Truck Repair, and The Worx. And I've likely missed some. WAY too many auto-related businesses per capita. WAY. Too. Effing. Many.

[Laughter]

Mr. Apicella: Can you spell that out?

Mr. Harvey: The absolute last thing we need in Rt 17 is another Jiffy-Lube- like place. Stop approving them. We do not want the Take 5. We do not need the Take 5. We need casual dining- It can take over an hour to get to Fredericksburg or over 45 minutes to get to rt. 610 at dinner time. Residents on or near rt 17 have almost no place to eat dinner that isn't fast food. Encourage and incentivise more options. That's it. Stop approving more garbage auto parts and auto repair. WE DO NOT NEED IT. We already have too many.

Mr. Apicella: Thank you for that eloquent presentation.

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Mr. English: Unfortunately, that's the only ones that are coming forward, right?

Mr. Apicella: Alright, with that, I am again going to close the public hearing and bring it back to the Commission for further deliberation. Mr. English, this is in your district.

Mr. English: Okay. I'm going to make a motion to approve RC21153707, Reclassification for Berea Market, Take 5.

Mr. Apicella: Okay, is there a second?

Mr. McPherson: Second.

Mr. Apicella: Alright, thank you. Any further comments Mr. English?

Mr. English: No.

Mr. Apicella: Mr. McPherson?

Mr. McPherson: No.

Mr. Apicella: Anybody else? Okay. I'll just say real quickly, I don't disagree with what the author said.

Mr. English: I don't either.

Mr. Apicella: We do have a lot of auto service joints along the Warrenton Road corridor. And I live on that side of 17 and we definitely need some more restaurants, take-out restaurants, dine-in restaurants, what have you. Alright. Please cast your vote on the motion recommending approval of the reclassification for Berea Market, Take 5. Mr. Cummings, how do you vote?

Mr. Cummings: Approve.

Mr. Apicella: Okay, thank you. That motion carries 7-0. Mr. English?

Mr. English: I make a motion to approve CUP21153711, Conditional Use Permit, Berea Market.

Mr. Apicella: Is there a second?

Mr. Randall: I'll second that.

Mr. Apicella: Alright, thank you. Any further comments Mr. English?

Mr. English: I'm just going to say exactly what you said, Mr. Apicella. We do need more restaurants and I agree with this gentleman, but if they're the ones coming in here, what are you going to do, so.

Mr. Apicella: Right. Mr. Randall?

Mr. Randall: Ditto, ditto, three times over. Again, it's a small location. It's a small plot. Yes, it would be nice if it was an acre and a half or two acres and I could put a hundred parking units there, you know,

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yeah, and then we would probably have a different conversation about what the right use is for that piece of land. But at $\frac{3}{4}$ of an acre, this is a great use. We have all the traffic. We have all the cars. People like speedy. People like in and out, you know. If you can hold it to 10 minutes, you'll never be empty. So, thank you.

Mr. Apicella: Thank you Mr. Randall. Mr. Bain?

Mr. Bain: Not a comment concerning the application directly, but if you noticed on the aerial photo and the zoning classification maps, there's a large block of land at the other end of that Fleet access road yet to be developed and I am just really, really scared as to what that's going to do to traffic on 17 if that area develops at R-1, or condos and townhouses. It'll be horrible.

Mr. Apicella: Come out there any Friday between 2 and 7 o'clock and see how joyful it is to go down Route 17.

Mr. Bain: Oh, I know. It's so bad now and, yeah.

Mr. Apicella: Alright. So there's a motion recommending approval of the conditional use permit for the Berea Market, Take 5. Please cast your vote. Mr. Cummings, how do you vote?

Mr. Cummings: I vote yes.

Mr. Apicella: Okay, thank you. So that motion carries 7-0. Alright, we're done with public hearings. Onto the next item; our Unfinished Business is deferred until September 22nd, so we have one small thing to talk about, the 5-Year Update of the Comprehensive Plan.

UNFINISHED BUSINESS

7. RC21153768; Reclassification – Banks Ford Self Storage - A proposed zoning reclassification from the A-1, Agricultural Zoning District to the B-2, Urban Commercial Zoning District on Tax Map Parcel Nos. 44-100, 44-98A, 44-98B, and 44-99C (Property), consisting of 5.02 acres, to allow for the development of a warehouse, mini-storage facility. The Property is located on the south side of McWhirt Loop, approximately 100 feet east of Banks Ford Parkway, within the Hartwood Election District. **(Time Limit: December 3, 2021) (History: Deferred from August 25, 2021 to September 22, 2021) (Public Hearing rescheduled to September 22, 2021)**
8. CUP21153821; Conditional Use Permit – Banks Ford Self Storage - A request for a Conditional Use Permit (CUP) to allow a warehouse, mini-storage facility in the B-2, Urban Commercial Zoning District on Tax Map Parcel Nos. 44-100, 44-98A, 44-98B, and 44-99C (Property). The Property consists of 5.02 acres, and is located on the south side of McWhirt Loop, approximately 100 feet east of Banks Ford Parkway, within the Hartwood Election District. **(Time Limit: December 3, 2021) (History: Deferred from August 25, 2021 to September 22, 2021) (Public Hearing rescheduled to September 22, 2021)**

NEW BUSINESS

9. 5-Year Update of the Comprehensive Plan

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Mr. Harvey: Yes, Mr. Chairman, Mike Zuraf will lead the discussion and the update for staff.

Mr. Zuraf: Good evening again. Mike Zuraf, Planning and Zoning Department. So I'm here to discuss the Comp Plan 5-Year Update. We provided the full Commission the latest draft amendments to the Comp Plan. This was resulting from the work of the Comp Plan 5-Year Update Subcommittee. So, just some background. This effort began back on February 8th; that was the first meeting of the subcommittee. There were 23 meetings that were held and we worked through every chapter. And we've provided to you the amendments where they stand now in Track Change form. And I'll just kind of also note that the Plan is still in the process of being modified. Some of the kind of last minute changes that are still needed and just, for example, the changes that were discussed at the last committee meeting last week on September 2nd were not included in what you received, because basically the mail-out was the next day. So, we're still working on a few of the sections. There's parts in there that are kind of bold and asterisks with notes and things that we're still working on. In Chapter 6, the background section of the background chapter we're working on, just updating all the background data there. I will just kind of briefly run through kind of the highlights of the types of amendments that we've, that the committee has prepared. So I'm sure the committee will maybe want to add on some specific details that I don't address. But just kind of running through – Chapter 1 is the kind of intro section of the Comp Plan. So, you know, in that chapter we essentially just kind of updated some of the background information on the past updates and what the latest update, this current update entailed just kind of as a refresh. And then identifying the latest provisions out of the State Code related to the Comprehensive Plan to highlight any changes there. Chapter 2 is the section with the goals objectives and policies. There are a lot of adjustments within that chapter, modifying several of the policies. Some of the adjustments were to be in line with the latest Future Land Use Map, where I'll touch on that next. We added some policies specifically related to solar energy generation. That's something we don't have that yet in the County, but from a staff perspective, we get a lot of people in the business of solar farms and they're contacting us and discussing the process. So I wouldn't be surprised if we see some proposals coming our way and if there are guidelines in the Comp Plan that will help to make sure that those types of projects are addressed, cited appropriately and developed appropriately. There is updates to some of the background information in this related to housing. A refresh of all the latest demographic information related to housing. The Economic Development section was updated and that is goal 7, but the specific adjustment with that is that's going to be moved up to goal 1 and just basically to enforce the importance of economic development in the County. And all the other goals, objectives, and policies will be renumbered and basically shifted down. It's just a thing we haven't gotten to, but that's just one change there. So, then getting to Chapter 3, that's the Future Land Use Plan chapter. There's where we have kind of the meat of the changes to the Plan. The Future Land Use Map is proposed to be simplified, trying to make it more user friendly and understandable to the common citizen. We're proposing, the committee's proposing to remove the Planning Area designation from the Future Land Use Plan. As you're aware, that has several associated layers involved, where it was redevelopment areas, primary focus areas, and then Targeted Growth Areas. And the redevelopment areas, that was an effort that goes back to 2009, 2010, and is kind of an outdated effort. And the primary focus areas is still something that is being worked on, but felt that it's not necessarily appropriate right in the Future Land Use Plan Map. So we've kind of pulled that out and pulled it to the side. And so, what we get is you have the Targeted Growth Areas but we're work... and you know, a lot of that was focused on residential in kind of the discussion and how that was kind of crafted. But the proposal is to rename the Targeted Growth Areas to Targeted Development Areas because these areas had a full mix of residential with commercial and retail, and business and industry land uses. So it's a generalized targeted development area designation and we're proposing five Targeted Development Areas out of this. With the adjustments, it's proposed to remove the Leeland Station, the former targeted development or targeted growth area as that area is basically, the majority of it is built-out. The remaining area is kind of to the north of the rail line and is existing

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larger lots that have homes on them and may be very difficult to redevelopment. Then, the Brooke Station Targeted Growth Area is proposed to be removed due to the kind of issues and challenges of actually making that happen with utilities and road improvements that would be needed to get to that location. We added in the Boswell's Corner area as a new Targeted Development Area, basically with a focus on commercial development in that location. And then modified the Warrenton Road Targeted Growth Area so that basically was a very large area on both sides of 95, and so that's being divided into two Targeted Development Areas; one basically on the east side of 95. That area would be called Falmouth Gateway Targeted Development Area. And on the west side is the Berea Targeted Development Area. So those two areas are split up. And then Courthouse and Central Stafford still remain. With the Courthouse Targeted Development Area, the proposal to change the recommended land use in the quadrant or the sector of land between 95 and Route 1 and south of Hospital Center Boulevard, that's where the DHL massive distribution facility is coming, going up. And there's other industrial uses out there that land use is recommended to be changed from commercial and retail office to business and industry to kind of more so fit in with the industrial kind of growth pattern that has been established there and is continuing. And also, that Future Land Use Map would highlight the Downtown Stafford area, so people are more clear of where that is. In Chapter 3, there's an effort to remove a lot of the duplicate maps that were in place. One specifically, the Airport Overlay kind of mapping basically was overlapped and kind of addressed in kind of duplication in each of these planning areas or land use areas where it applied. And so that was more simplified because it is addressed in a specific part and in one part in Chapter 3. So, people just have to go to one spot to see that information. And added a new section to identify and recognize those priority focus areas of the County where there's different economic development efforts for industrial focused development, tourism, and then even water access. And then added some more specific solar energy guidelines that are specific within business and industry areas of the County. And then separate guidelines that would apply to agricultural and rural designated areas of the County. And then we added some tree preservation guidelines. So, that was another addition near the end of the chapter. In Chapter 4, the Transportation Plan, we did kind of an overall refresh of the information and we're working still through that, updating the tables, highlighting where the latest planned and programmed road improvements are proposed, and work towards updating some of the mapping. We're proposing to add a new section or new part of Chapter 4 that kind of highlights the issues with the north-south kind of transportation network deficiencies. And so this kind of focuses on the outer connector or the area basically from Centreport Parkway south towards the Rappahannock River. And proposed some alternatives to, you know, we've always had the outer connector in our Transportation Plan as a recommended corridor. There's been no movement on that so a new kind of concept is being kind of thrown out there to look at maybe an inner-connector that makes use of existing road networks and may reduce the cost and the timeframe to make some sort of north-south connection through the County that's parallel with 95. Chapter 5 is the Public Facilities chapter. We've worked on basically some updates to level of service standards for the different types of public facilities and some of the background conditions listed there. And then again, as mentioned, Chapter 6. That's the existing conditions section and we're still working through updating all that background information that's changed over the last 5 years. That's a high-level update of kind of the flavor of the changes, and I'll turn it back to the Chairman at this point. Oh, and before I finish, as far as the timeframe. So, the Board did grant, as you're aware, the Planning Commission additional time to finish this effort. Granted the Planning Commission through October 15th; that's the current deadline. And so at the committee meetings, there was some discussion on how to make this happen. And the last Planning Commission meeting for the Planning Commission to act to meet that deadline would be having a public hearing on October 13th at your first October Planning Commission meeting. And that would require the Commission to kind of basically move the plan along, and we would have to put an advertisement out and get an advertisement to the paper for public notification by September 22nd or 23rd. And I'm sure

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people may have questions, so there was the idea of possibly a special meeting and I'm sure you all will discuss that for maybe next week. And I'll turn it back to you, Mr. Chairman.

Mr. Apicella: Thank you Mr. Zuraf. Clearly a monumental amount of effort went into the product that's in front of us, and I appreciate you and the subcommittee members and all the County staff that have been involved thus far. My question to you is, you mentioned that there was still some due-outs and some background information that needed to be updated. Do you think that can all be wrapped up by next Wednesday?

Mr. Zuraf: I think that honestly, that would be very, you know... it'd be very difficult to get it all wrapped up.

Mr. Apicella: So, what do you think is realistic for you to be able to do between now and next Wednesday? And I'll explain why I'm targeting next Wednesday in a minute.

Mr. Zuraf: I think it's likely we could wrap up the majority of the chapters except for Chapter 6 that has probably some more extensive work that needs to be done with background tables. A lot of it's background information.

Mr. Apicella: So, it's background information.

Mr. Zuraf: Yes.

Mr. Apicella: So, if we, if we held a meeting next Wednesday, a special meeting, and went through the document but for the stuff that... it's facts, right, that's what it is. We wouldn't be changing it. And gave you some flexibility post that date to fill in those missing pieces of information, do you think that we could work through a special meeting next Wednesday to get everybody to sit in a room, this room, and go through the document and everybody kind of chime in as they feel necessary to what's in front of them? And I would also say that we would not focus on... *inaudible*... changes; these are you know significant changes that folks have some issue, concern, or desire to improve. But not changing where the I is or where the comma is. Do you think that's realistic for us to set a goal meeting next Wednesday and working through this?

Mr. Zuraf: Yeah, that would be a realistic goal.

Mr. Apicella: Okay. Mr. Randall, do you have anything to add?

Mr. Randall: I do, if you don't mind, for just a couple of seconds. Again, as the Chairman of the subcommittee for this, I have to give kudos to Mike and his team. They have been doing yeoman's work to get this done. As you can imagine we've been doing, you know, Ms. Barnes and Mr. Bain over there have, have joined me every Thursday, it seems for the last six months to try to get this done. And then of course, staff has been right there with us. And we've had 20, what is it 23, 26... 23 meetings that were at least two hours long to work on this. Yes. So what I would foresee happening is that as much as possible, that you get everything besides Chapter 6 so we can go through it on Wednesday. And then on the 22nd, we will need to go through Chapter 6 as a final, as a final... before we actually send this to public hearing, go through Chapter 6, make sure we're all good, make sure that the numbers look right. Because that will be the first time we've had a chance to look at it even as a subcommittee so that before we can send it on. So we'll have to look at it pretty carefully on the 22nd. But yes, as the Chairman mentioned, if we could put a bow on this as much as possible on the 15th, that would be a great, that'd be

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a great benefit to moving this on. To my fellow Commissioners, that means that you're going to have to open it up and look at it and read through it. We won't have time to... you won't have time to get adjusted to what's on it because we intend to go through a chapter by chapter. And it will be a pretty quick meeting, otherwise, we'll be there for 10 hours as we have seen. And again, they won't be happy to glad changes; we've made many of those already. They will be major focus things. If you have questions, please bring them. Understand what it says, understand what you want it to say. Come with language. Much of our effort was, well, we don't want that. But what do we want? And so then it took a while to figure out what it is that we wanted to say and how would the best, how the best way to say it. And so, if you have some changes to that, Commissioners, please bring that as well. We'd like to be able to go through this; like I said, it will be chapter by chapter. We will go page but I expect it to be a fairly quick page turner. I don't think there is anything else. The 22nd, just so you know, once the 22nd hits and we make that public notification, there can be no more changes, correct? Mr. Harvey, there can be no more changes to the Planning Commission... or to the Comp Plan before it goes to public hearing. Is that correct?

Mr. Harvey: Commissioner Randall, that is correct. There can be, you know, obviously, typographic formatting changes, but nothing of substance.

Mr. Randall: Nothing of substance can be changed once we get to the 22nd. So we are literally at the rubber meets the road timeframe to do this. So I believe the special meeting was...

Mr. Apicella: Yeah, so what I, what I'd like to do is set a special meeting for September 15th, that's next Wednesday, starting in this room at 4 o'clock. And we'll work our way through it, whatever amount of time it takes to get it done.

Mr. Randall: Yeah, absolutely.

Mr. Apicella: That's our only business item and we'll take a break and have some, some chow and then get back to it. My question for you both is, but for the Chapter 6 data, statistics, whatever, would you say that the document that we now have is, what, 90% 95%? And the reason I ask that is because folks don't have to wait until Wednesday of next week to look at the document. What's in front of them is largely what is proposed, but for a few changes that you all still have to...

Mr. Randall: Yes, I would say that you have plenty, you would have plenty to review. The minor changes that we have are adding maps, updating maps, updating documents, I believe there's only one or two sections that still have to be written, per se. But those are something we could go over fairly easily on Wednesday, when we do that. But the document that we're looking at here, right, that I have here, I would say it's about 90% complete. So, if the Commissioners can go through that, based on what they have in the staff report, Mike, how much different from what we talked about on Wednesday, or Thursday to what's in the staff report? Is it...

Mr. Zuraf: From what you received? It's the information you'd received on that Wednesday. So we weren't able to make any changes that were discussed on that.

Mr. Randall: Gotcha. So yeah, I would say it's about 90%.

Mr. Apicella: Okay, that's a great place to be. And just so for everybody's benefit, who hasn't been sitting in on the meetings, there's different colors in the document. Can you quickly explain what those

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are so people going through it can understand, you know, what's the red? What's the blue? What's the green?

Mr. Zuraf: Yeah, so you know, generally, you'll see the standard kind of track change form, through the document where most places, it's red strikethrough, meaning existing language that's proposed to be removed, and then blue underline of all new language that's being added. There are a few spots where you have like a yellow highlighting of some text. And that's just as those were some like last minute changes that were addressed or discussed at the last meeting. There are spots that are highlighted in blue, that's where additional work is needed by staff. So you're going to get some additional changes there.

Mr. Randall: Yeah, if I could. So the yellow should be things that we've already... remember, what we have here in front of us is what we talked about in our meeting on Thursday. We went through several of the items that are associated with yellow highlighting, Mike just hasn't had a chance to update what we talked about. Those items that are still in blue, that are highlighted dark blue, are still items that are still outstanding, and will need to be looked at and done between now and Wednesday. And then, you know, whatever you can do with Chapter 6.

Mr. Apicella: And a couple of other things I'd point out. The document looks pretty big. But you'll find when you go through the document, that several section, it's bigger than it really is because sections, pages, maps are being deleted. And generally that's pretty easy to decipher as you go through it. So even though it's over 300 pages, I think at the end of the day, it's not really 300 pages, it's something far less than that when you take into consideration what's being deleted. I would also and I'm not sure how to say this. We, for the four of us who haven't been on the subcommittee, we've all had an opportunity to sit in on the meetings. And I've sat in most but not all the meetings. So it may be a surprise to you what you see here, but what I'm asking for generally is we really need to get through it is what Mr. Randall is saying. And we don't have time in order to meet the deadline that the Board has set for us, and it's a hard deadline, to revisit things that the subcommittee has already basically worked on. And so really just focus on the big stuff. And again, if you don't like the way something's phrased, I would just ask you to try to live with it as best as possible, unless it's a showstopper. And I would even suggest that we don't necessarily go page by page, chapter by chapter and, hey, are you okay? Is there any part of this chapter that you want to take a look at? Because if we go page by page, again, it's... inaudible, being talked over.

Mr. Randall: Again, I was, again...

Mr. Apicella: I'm just trying to kind of come up with a methodology for working our way through it as expeditiously as possible.

Mr. Randall: No, I understand that. But it will be necessary to say, okay, we've removed all of this next page, we've removed all of this, this is where it went, it went to Chapter 5, whatever the case may be. So just kind of crosswalk where we took it out, we took it out permanently, it's not in there. We took it out, we moved it here. We moved this section to this. And so there will be some, most of it we can we can roll through fairly quickly.

Mr. Apicella: And if they're available, some of the departments who've participated in this, like Transportation and Economic Development, and Utilities, if they want to send a rep, just so we're not... somebody asks a question, and we don't have an answer.

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Mr. Randall: And again, Mike, you didn't mention it, but I will probably mention it here then if that's the case, if I could. We have had inputs, for the rest of my fellow Commissioners, we had inputs and Mike, correct me if I'm wrong, or miss one, Transportation, Public Utility, Sheriff, Fire, Schools, Parks, Economic Development, I think those are the seven or eight. I may have missed one. But we had... so we sent all the chapters out to these departments. They fiddled with it, changed it, and made recommendations and then they brought it back to us. And those things are all for the most part Economic Development we fuddled with just a little bit, but for the most part, we accepted what they had as updates. Schools, we finagled that just a little bit as well. But we did have... we did get inputs from all of those departments associated with the Comprehensive Plan.

Mr. Apicella: Right. And again, if any of those folks can and are willing to sit in, I think it would be helpful. The last thing I would say is for the one person who stuck with us for the last two and a half hours and still online watching. Can you tell the public what they can do in terms of providing comments, this is now online, in its draft form. Folks can provide comments on the document or you know, broad, specific terms 50,000 foot level comments that they might have. Where would they go to? How would they provide comments?

Mr. Zuraf: Yeah, they could go to the Planning and Zoning web page through the Stafford County website. And there is a link to be able to submit comments via email, and also through the Planning Commission's web page on the County website as well. The document itself would be under tonight's meeting agenda. So that's where they could view the document.

Mr. Apicella: And for next Wednesday's meeting for us, what's the plan for giving us the next generation?

Mr. Zuraf: Well, I guess that will depend on the timing and how much we get done. I suppose we can get an electronic version to you sooner. And then, maybe closer to...

Mr. Apicella: Or you could send it to us in sections, right, in pieces? Maybe work with Stacie if possible, to send it out.

Mr. Randall: Is the intent to have a hard copy at the dais?

Mr. Zuraf: I think that would be good. Yeah, we'll definitely get you an as soon as we can get you a hard copy. But at least have it for you here at the meeting.

Mr. Randall: Yeah, I would prefer... I know, this is trees, Kristen. Sorry. But I would prefer to be able to go through this hard copy if necessary if we can on the 15th.

Mr. Apicella: And I think if possible, I know we did this at one meeting, if we could have it on, you know, up, and then we can make changes in real time and everybody can look at it. Oh, yeah, that looks good. We're good to go. Does that work?

Mr. Zuraf: Yes.

Mr. Randall: And the public can see it as well.

Mr. Apicella: Right. Any other questions, comments, concerns?

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Mr. Bain: Only a comment. If the printed version is available before Wednesday, let us know because I'd be willing to come to the office and pick one up. I know we couldn't handle it through the mail, but I'd certainly come over and pick it up.

Ms. Barnes: Ditto.

Mr. Apicella: Alright, do we need to take a vote on having a work session? Or can we just agree by consensus to do that?

Ms. Lucian: You're entitled as Chairman to call a special meeting. I think everybody agrees.

Mr. Apicella: Oh, so much power. Alright, so we're set. We're going to have a meeting next Wednesday at 4 o'clock here in the chambers.

Mr. Randall: Sounds great.

Mr. Apicella: No other comments, we're going to move on. Mr. Cummings, did you have any comments?

Mr. Cummings: No.

Mr. Apicella: Okay, great. Alright. Thank you so much, Mike. Again, fantastic job. Really appreciate all the work you put into this.

Mr. Zuraf: Thank you.

PLANNING DIRECTOR'S REPORT

Mr. Apicella: Alright. Planning Director's Report.

Mr. Harvey: Mr. Chairman, the only item I have is to let you know at your desk, the GIS Department has provided the Planning Commission with a courtesy copy of the Road Atlas. And that's a document that they put together, which depicts all the roads in the County. And that concludes my report.

Mr. Apicella: Awesome. Thank them from all of us. County Attorney's Report.

COUNTY ATTORNEY'S REPORT

Ms. Lucian: I have no report. Thank you.

Mr. Apicella: Committee Reports. I think we can skip that. Chairman's Report – I have nothing to pass on. Other Business. Mr. English, looks like you got some TRC stuff to look at. No minutes to approve. With no further business before the Commission, we are adjourned. Thank you.

COMMITTEE REPORTS

10. Comprehensive Plan 5-Year Update Subcommittee
Meetings – August 19, 2021 & August 26, 2021 & September 2, 2021
Next Meeting – TBD

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CHAIRMAN'S REPORT

OTHER BUSINESS

11. New TRC Submissions
 - Sullivan Reserve - Hartwood Election District
 - Centreport Village – Hartwood Election District

APPROVAL OF MINUTES

NONE

ADJOURNMENT

With no further business to discuss, the meeting was adjourned at 8:36 PM.