

**STAFFORD COUNTY PLANNING COMMISSION**  
**October 13, 2021**

The meeting of the Stafford County Planning Commission of Wednesday, October 13, 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, Darrell English, Fillmore McPherson

MEMBERS ABSENT: None

STAFF PRESENT: Jeff Harvey, Lauren Lucian, Stacie Stinnette, Mike Zuraf, Eva Campbell

DECLARATIONS OF DISQUALIFICATION

Mr. Apicella: Are there any declarations or disqualification on any agenda item? Alright, seeing none, I'm going to move forward to Public Presentations. This is the public presentations portion of the meeting. You have up to 3 minutes to comment on any matter except the items that are scheduled for public hearing this evening. There will be a separate time to comment on those items as they are being discussed. Before starting your comments, please state your name and address. The clock starts when the green light appears. Yellow means there's 1 minute left. Red means your time is up. So if anyone would like to speak on any item that's not a matter of a public hearing, please come forward now.

Audience member: *Inaudible, not at microphone.*

Mr. Apicella: That's not on the public hearing agenda, alright? So seeing no one coming to the podium, I'm going to close the public presentations portion of the meeting and move on to the first agenda item. Mr. Harvey?

PUBLIC PRESENTATIONS

None.

PUBLIC HEARINGS

1. RC18152265; Reclassification – Southgate Commercial Proffer Amendment - A proposal to amend proffered conditions on 8.16 acres zoned B-2, Urban Commercial, to limit the permitted uses to include mini-storage warehousing and accessory truck rental and dwelling for watchman or caretaker on premises, and amend site access and building design, on Tax Map Parcel No. 45-165 (Property). The Property is subject to a concurrent conditional use permit request. The Property is located on the northwest corner of the intersection of Cambridge Street and Southgate Avenue, within the Falmouth Election District. **(Time Limit: January 21, 2022)**
  
2. CUP20153251; Conditional Use Permit – Southgate Commercial - A request for a Conditional Use Permit to allow mini-storage warehouse use, motor vehicle rental use, and a dwelling for watchman or caretaker on premises, in the B-2, Urban Commercial Zoning District on Tax Map Parcel No. 45-165 (Property). The Property consists of 8.16 acres, and is located on the northwest corner of the intersection of Cambridge Street and Southgate Avenue, within the Falmouth Election District. The Property is subject to a concurrent proffer amendment request. **(Time Limit: January 21, 2022)**

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Mr. Harvey: Mr. Chairman, staff will be presenting items 1 and 2 in a combined presentation. Those applications are for Southgate Commercial Proffer Amendment and a Conditional Use Permit for Southgate Commercial for a mini-storage facility. And Mike Zuraf will be making the presentation.

Mr. Apicella: Hi Mr. Zuraf.

Mr. Zuraf: Good evening, Mr. Chairman, members of the Commission; Mike Zuraf with the Planning and Zoning Department here to present items 1 and 2 as mentioned for Southgate Commercial...

Mr. Randall: Turn your mic on.

Mr. Zuraf: How's that? Okay, alright. Okay, so Mike Zuraf again with the Planning and Zoning Department here to present items 1 and 2. This is for Southgate Commercial, a Reclassification and Conditional Use Permit. And so these requests include an amendment to proffered conditions on the property that's zoned B-2, Urban Commercial. The proposal would be allowing for the development of a mini-storage warehouse facility. The second item would be a conditional use permit to allow a mini-storage warehouse use, motor vehicle rental use, and dwelling for watchman or caretaker in the B-2 zoning district. The site covers 8.16 acres. Ivan Cowger is the applicant, Clark Leming is the agent. This is in the Falmouth Election District. Here's the location of the site. The parcel subject to the application is highlighted in blue. The property is located on the northwest corner of the intersection with Cambridge Street, U.S. Route 1, and Southgate Avenue. This shows the current zoning of the site. Light red represents the B-2 zoning district. The adjacent property is to the west. The yellow shaded area is R-1, Suburban Residential. This is the area of the Southgate residential neighborhood. The light green shading to the east represents A-1, Agricultural zoning. That's the location of immediately to the east is the Walt-Lou Mobile Home Park. Regarding the zoning history of this property, the site was zoned to B-2, Urban Commercial as part of the overall Southgate development in 2004. The residential portion consists of 152 single-family lots. The subject property lies within the Highway Corridor Overlay District with Cambridge Street being the corridor highway. The surrounding residential area of Southgate, the closest properties are built-out while this commercial site has remained undeveloped since its rezoning. This aerial view shows the existing conditions of the site. The southern and western portions of the site were previously cleared and graded with the overall development of the residential portions of Southgate. As a result, there's a generally a level plateau located to the eastern side of the site adjacent to Cambridge Street. And land slopes down to the south and west. There are no environmentally sensitive features or resources present on the site. There are grasses that cover the graded slopes, and a mix of deciduous and evergreen trees that are located in the undisturbed areas kind of around, that surround the Walt-Lou trailer park area. The subject parcel is broken into two parts; so you can see it is divided by a platted right-of-way, which could be a potential future extension of Cool Brook Lane. At this point, I just want to note, there also were several community meetings that were conducted for this project several years ago on two different occasions, November 2017 and February of 2019. The applicant participated in community meetings at Drew Middle School with the District Supervisor and area residents. This proposal attempts to address the concerns that were raised by citizens at those meetings. So, the General Development Plan submitted by the applicant illustrates the proposed layout of this, of the warehouse facility. It consists of several 1-story storage warehouse buildings that total approximately 95,000 square feet. And then there's one 2-story 2,800 square-foot building with an office and dwelling for watchman. And I'll point those out. The office and dwelling is located in this location. And then you have storage warehouse buildings, and I'm kind of identifying around the site.

Mr. English: What's that other one, Mike, right down there where you just... that last line you drew?

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Mr. Zuraf: Oh, missed one.

Mr. English: Yeah.

Mr. Zuraf: Thank you. So the development's going to be oriented towards Cambridge Street on that upper plateau. The design will locate buildings around the perimeter of the facility, around the outer perimeter of the facility. And then the access to those buildings will all be oriented internal to the complex. There'll be no building access proposed from the outer side of the storage buildings that surround the site. This design will serve to buffer the facility from the adjacent residential uses and it intends to preserve the existing grassed slopes and add in some enhanced screening with additional trees. This plan shows a single row of evergreens and street trees. And there are some new conditions that I'll go over that seek to enhance this screening that's proposed. Access to the site will be via a full service entrance off of Cambridge Street in this location. Also, the existing northbound left turn lane would be extended to also serve this site. The entrance would also reconstruct an existing entrance that goes into the mobile home park, and then there would be an inter-parcel connection to the mobile home park. The mini-storage office is adjacent to the side entrance and beyond the office there are two secure security gates.

Mr. Bain: Can you show where those gates are, Mike?

Mr. Zuraf: Yeah, the green circles show the location of the two security gates.

Mr. Bain: Okay. Is there any security on that little extra parcel to the right?

Mr. Zuraf: Yes. Yeah, so that's what I was going to get to next.

Mr. Bain: Ah, okay, sorry.

Mr. Zuraf: Yeah. So you have gates here and so it would require anybody who was to try to access, a customer accessing this area, they would have to proceed through the facility and then go through this gate and this gate. And the reason is because that there's a dedicated right-of-way in the way. And so multiple gates would be required. There is also a gated emergency access that's intended only for use for emergency situations in this location, and with access out to Queensland Drive. But again, customers would access the site via Cambridge Street.

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

Mr. Zuraf: My guess is that, and I would ask the applicant to help confirm what their plans might be, I think that this access, this gate would probably no longer be needed, but the gate here in this location would probably need to be moved back to allow for some storage.

Mr. Apicella: Mike, going back to the emergency access point which is close to Queensland and Cool Brooke, why in that location?

Mr. Zuraf: The... it's in the back end of this site. And I believe that would be because in this location the grades of the facility is, it's pretty much at grade with the street. So it's easiest to access, provide that secondary access in this location, whereas in these other areas, you have a lot of steep slopes that are present and it would be very difficult to provide any secondary access.

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Mr. Apicella: So the reason I asked that question is because it's gonna require some clearing potentially in that area, even though it's, as you say, it's at grade. So there's no other viable place that it can be put that you can think of without having to clear that area. They couldn't go through the trailer park?

Mr. English: No.

Mr. Zuraf: No, no, there are trailers that would block that as an option.

Mr. Apicella: Okay.

Mr. McPherson: Mike, how about using that upper security gate, giving access to emergency service to go through there coming off of Route 1? The top green circle? Could they use that as an entrance as well?

Mr. Zuraf: The... sorry...

Mr. McPherson: The top middle security gate, you're talking about the top green circle?

Mr. Zuraf: In this location?

Mr. McPherson: No. Go to the left and down just a hair; that one. Could that also be created as emergency access?

Mr. Zuraf: Well, this is all... the idea is to get another optional access. Say this was blocked, say if the main access off of Route 1 is blocked in some way.

Mr. McPherson: Okay.

Mr. Zuraf: The idea is to get access from another Street.

Mr. McPherson: Okay. So they already have that one.

Mr. Zuraf: Yeah, yeah, the only way to get to this access, and I've really messed this up, is through from Route 1.

Mr. McPherson: Okay, gotcha.

Mr. Apicella: I'm sorry, going back. So the... I know it's really one parcel but I'm going to call the left side that I'm looking at parcel A and the right side parcel B. And that parcel B, the smaller piece of the facility, that's adjacent to Drew Middle School?

Mr. Zuraf: Yes.

Mr. Apicella: Okay.

Mr. Zuraf: So I just want to kind of go over some of the key proffer amendments that are proposed here. This would restrict the use of the site to a mini-storage warehouse with the dwelling for a watchman, or caretaker, and motor vehicle rental use. Those uses only would be the only uses allowed on the site. And then also on the second point, the maximum building area would be capped at 100,000 square feet.

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On those two points, there's currently a proffer that permits 300,000 square feet of commercial retail uses on the site. So that would be proposed to be deleted. And so this change would reduce the vehicle trips generated from the max use of the site from 12,000 trips per day down to 272 trips per day. And then this reduction would support the third point, which is relocation of site access from Southgate Avenue to Cambridge Street.

Mr. Apicella: Mike, I'm sorry, since you, since you brought it up, the change that's being made here. So the site is already zoned B-2.

Mr. Zuraf: Yes.

Mr. Apicella: And there are several B-2 uses that could go on that 8-acre site up to 300,000 square feet without any change, if they did not make a change.

Mr. Zuraf: Right.

Mr. Apicella: And 8 acres, that's pretty big for a B-2 site in that area. Is that correct?

Mr. Zuraf: Yeah, that's larger than normal.

Mr. Apicella: Can you give us some examples of what might otherwise go on that site if it wasn't changed?

Mr. Zuraf: I could see a, you know, as far as it saying commercial retail, it could be like a shopping center, small shopping center type of use with multiple tenants that would kind of have like the retail or the small kind of restaurants that might serve the surrounding uses like a subway or maybe a barber shop or something that could go in there. So those types of service uses, commercial uses.

Mr. Apicella: So if this went through, they would be limited to just the mini-storage. They couldn't do any of those other currently allowable uses.

Mr. Zuraf: Correct.

Mr. Apicella: Okay, thanks.

Mr. Zuraf: So on the third point about relocation of access, the current proffers restrict access to the site via Southgate Avenue. Southgate Avenue is a right-in/right-out restricted intersection with Cambridge Street. The intersection does have safety concerns and sight distance limitations. VDOT looked, you know, reviewed this request for a proffer amendment and approved an access exception for the new Cambridge Street entrance, if it was to be approved through a proffer amendment. The entrance addresses concerns cited by the community at the community meetings. There were concerns about customers to any commercial use traveling through the neighborhood. Also, even if it was a mini-storage warehouse use, there were concerns about, you know, people with U-Haul rental trucks trying to access and get into the neighborhood at that current entrance and leave out to Route 1 with the rental trucks. And so there were concerns with that. So there were just concerns about the proposal accessing, the use accessing Southgate Avenue and making a dangerous situation worse. And the fourth point, it would require site development consistent with this GDP. This would provide a level of assurance that the development be oriented towards Cambridge Street. And then the design of the site would utilize the storage buildings to enclose the facility and include the enhanced setbacks and buffers. On the fifth

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point, it would establish building appearance standards. There's proffers that require the storage buildings to be designed in compliance with the County's Architectural Design Standards in conformance with architectural renderings that they included with the application. The exterior façades of the walls of the buildings on the perimeter of the commercial area would be designed and built with brick, stone, hardiplank, or similar material. It also mentions glass wall as an optional use, and the applicant did make a change to the proffers to remove glass walls as a possible exterior wall material. And I'll get into that later as well. Here are two of the renderings submitted with the application. The top image shows the office building as viewed from Cambridge Street. And then the bottom image is the outer storage building walls from Queensland Drive. The kind of red vertical stripes would be brick columns, and then the green would be the location of where like a hardiplank siding material would be proposed. That's what's envisioned by the applicant as far as a way to kind of soften the impact, visual impact of those buildings.

Mr. Bain: Mike, go back to that a minute. The Queensland view, you have a tree every what 100 feet, maybe? But if you go back to the GDP, and you look at the vegetation that's being proposed on the other part of the site, double rows of trees there along Drew Middle School and around the trailer park. Seems like the people on Queensland Drive are being short-changed a little bit. And they're going to be seeing the back of this essentially almost like an industrial building; I mean, it's not going to be very pleasant. I'm thinking maybe we ought to add a condition that a row of bushes at the top of the slope be included so that it hides the view of those, the back of those buildings a little better, or a more dense placement of trees. Those trees really do nothing to hide the building. And all of the houses on Queensland are facing that way. So I think it would be, I would make a proposal to add a condition to put a nice row of bushes that would be maintained along the top of that hill slope.

Mr. Zuraf: So this image, I think they're not including all the double, well at least they at the time, there would have been an additional row of evergreens. So I think the idea here was to allow people to kind of see what the building's appearance would be like. So they did leave out the row of evergreen trees that would be required. And that was in the current proffers or the proffers that were proposed. And we are recommending a new condition that would require a double row of trees. So that would be added to the...

Mr. Bain: Double row of evergreen trees.

Mr. Zuraf: ... double row... it's, yeah, and I'll get to that.

Mr. Bain: Okay, alright.

Mr. Apicella: I'm gonna have a lot of questions about the viewshed from Queensland, Mr. Bain. So I'm going to give Mr. Zuraf a chance to walk through more of his presentation and also how some of the conditions have been improved thus far to kind of mitigate some of the impacts.

Mr. Bain: Okay, very good.

Mr. Zuraf: So the Comp Plan does identify the site within a recommended commercial node in Suburban land use, this designation in the Comp Plan. The Suburban areas of the County are areas where Suburban scale development is most appropriate. Commercial nodes are intended to encourage commercial activities where there are adequate transportation facilities to accommodate proposed uses. The plan also states that commercial uses adjacent to residential uses should be designed such that the use is integrated into the community. The proposed use is more industrial-oriented than what's contemplated

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in the commercial nodes write-up in the Comp Plan. Suburban land use designation also recognizes that industrial uses may be appropriate in certain situations. Staff believes the efforts made by the applicant to screen and separate the access from the residents helps to make this a more compatible industrial type of use. The low traffic volumes make the use more appropriate as far as access off of Cambridge Street. And most other commercial uses have higher traffic volumes and would likely not be granted the same access exception that was granted to this use along Cambridge Street. So just touching on the conditional use permit portion of this request, again, it's specific to allowing the mini-storage warehouse use, motor vehicle rental use, and the dwelling for a watchman on the premise. So, with the overall evaluation of these conditional uses, regarding the mini-storage warehouse use, it is a less intense use of the property than what is currently permitted under the current proffers. And then the screening and site design, as proposed, would minimize visual impacts of this use from the adjacent residential uses. With the dwelling for watchman or caretaker on premises, in discussing this, how this would work with the applicant, they've mentioned that this would be basically an apartment where the staff person would live full time. So you'd have that full-time staff person residing there so that may help to ensure proper management of the complex and provide a means for any issues to be raised from surrounding residents. With the motor vehicle rental use, there's a drop-off area designed along the access drive into the complex. That is before you get to the gates, the security gates.

Mr. Randall: Mr. Zuraf, can you show us that on the on the plan, please, where that would be?

Mr. Zuraf: There are parallel spaces that line this area.

Mr. Randall: Thank you.

Mr. Apicella: And with that, there's still going to be a 30-foot clearance? Even with those parking spaces?

Mr. Zuraf: Yes, there is a 30-foot clearance outside of that. And in addition to that drop-off area, there would be the ability to store the trucks inside the complex. We have proposed conditions that would prohibit storage and display of rental trucks in open space areas like you might see sometimes in situations where they may not have use restrictions. And so the idea with the conditions is to basically keep the storage of all these trucks within the complex itself and limiting the view from other areas. And the conditions would help to avoid that. And with noise impacts, limiting noise impacts, the condition also would recommend that repair not be permitted on those trucks in this location.

Mr. Bain: Mike, sorry, the watchman or caretaker on premises. Is there anything that would prevent the applicant from basically turning that into a rental apartment and receiving rent rather than paying somebody to stay there and take care of the property?

Mr. Zuraf: Well, it would be a zoning violation, because it's zoned commercial so, yeah.

Mr. Bain: Good, good. Okay. It was just in the back of my mind that that could be an income opportunity for them rather than an expense. Thank you.

Mr. Zuraf: Mm-hmm. So here's a summary of the conditions. These are the conditions that were submitted with the initial staff report and I'll go through these. But we did also provide to you some modifications to the proposed conditions, adding some additional conditions, and I'll go over those next. But, so the conditions would limit the building height to one story for all the storage warehouse buildings, except for the office and apartment building. That's the one building that can be two stories tall, and

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that's right up near the entrance at Route 1. They have to provide slotted aluminum fencing which the details are included in the General Development Plan. They locate the dwelling for the watchman at the office building location. Limit the motor vehicle rentals to the U-Haul type of trucks. So it's not vehicle rentals of any type, it wouldn't... so they couldn't come in with like renting passenger vehicles like Enterprise or Hertz or other operators that might be more active. Establishing criteria where the trucks can be dropped off and stored. Those spots that I mentioned, those parallel spots, that's in a condition to be left open for only those... those spaces are to be left only for the storage of the of the rental trucks. Permitting only one monument sign up to 12 feet tall at the site entrance along Cambridge Street. Prohibiting portable signs. There also would not be... there would be... would not permit any wall-mounted lighting along the outer buildings which might of course cause light glare on the adjacent residential uses. Also, as mentioned, no vehicle maintenance or repair permitted on the site. And requiring one way in and out vehicle access through the two access gates. And requiring screening of any stored boats, RVs, campers, and other vehicles, and we've changed that condition. The next slide kind of summarizes the new...

Mr. Bain: I'm sorry, Mike, can you go back... I'm sorry, before we go there. The second item provides slatted aluminum fencing per GDP. Can you show on the GDP where that is?

Mr. Zuraf: So the fencing is in limited spots; so those are the spots where the fencing would be.

Mr. Bain: Okay.

Mr. English: Mike, right there where you drew the blue lines between the... the spot to the right. You've got to take a gate to get to that. It runs at the end of Cool Breeze. There's a little... where you said there's a gate to get through there, there's two gates right there?

Mr. Zuraf: Yeah.

Mr. English: What's going to be along... yeah, what's going to be right there? Is that going to be gated, too, because...? I mean, is that going to be a fence there, too?

Mr. Zuraf: As far as this area here?

Mr. English: Yeah.

Mr. Zuraf: That's all open. And we'll get to...

Mr. Apicella: Well, when you say open, it's not open in the sense of your being able to drive through it. It's closed off, right? It's open space.

Mr. Zuraf: Yeah. It's open space now. And I guess it would be, you know, that the access road will be there, but nobody can go in and out.

Mr. Randall: So where does the road end? At Cool...

Mr. English: Right there at the...

Mr. Randall: It ends right there. The rest of it's all dirt, gravel, whatever, and then they're going to build a connection between Part A and Part B, as was stated before, correct?



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Mr. Zuraf: And, well, the rest of the area is really dirt; there's no gravel or anything. So it's actually treed through this area.

Mr. Randall: Right. And so they're going to have to cut those trees down and build an access road from Part A to part B, correct?

Mr. Zuraf: Yes.

Mr. Randall: Okay.

Mr. English: But that that little section right there, that's all open right now. It's all open space.

Mr. Zuraf: It's dedicated right-of-way to the County. And, and actually, something I didn't touch on, the applicant also has to seek a separate approval from the Board to have the access across the County right-of-way, so that's another step that they have to go through. And that has to be done before site plan approval.

Mr. McPherson: Will there be any blockage items to prevent somebody from illegally driving through that open area? If it's just grass and maybe gravel? Sometimes there's stakes.

Mr. Apicella: Mike, don't you have a picture? Because I think there's more trees than these... it's not completely flat. I went out there a couple of days ago.

Mr. Zuraf: Yeah, it's treed. And there's barriers here at the end.

Mr. McPherson: Okay, there are barriers.

Mr. Zuraf: Yes.

Mr. McPherson: Thank you.

Mr. Randall: I have a quick question about that. Can you go back to where you drew the fence? Alright, so we call it a security fence, but it's not a perimeter fence. Correct? It's not a security perimeter fence. It's... I mean, look at that whole area around Drew Middle School. That's... what's stopping somebody from walking through there? Is it the buildings?

Mr. Zuraf: The buildings are... yeah, those buildings there.

Mr. Randall: Okay. So they can get up to the buildings, they can get through there. They can get up to the buildings, kids being kids can get right up to the buildings. We're okay with that.

Mr. Zuraf: Yes.

Mr. Randall: We're okay with that.

Mr. Apicella: Well, when we say we're okay with that, that's a question we're gonna have to ask... *inaudible, several people talking at once.*

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Mr. Randall: Because a security fence is a security fence. A perimeter security fence versus just a fence at the open spots...

Mr. Zuraf: The fencing will be approximately 6 feet tall, the buildings will be 10 feet tall.

Mr. Randall: Wherever the buildings aren't, is what you're saying.

Mr. Zuraf: Yes, yes.

Mr. Randall: Okay, thank you.

Mr. Zuraf: Alright, some additional conditions, you received a modified version of the of the conditions. We've added some additional language. It does add a requirement to include directional pavement markings for the gate ingress and egress. And I did reach out to the Fire Marshal and, you know, regarding some of these issues. And they did bring up a point that they did have a concern with the, I guess length of that access entrance road between the two storage buildings, that somebody driving all the way down, they may hit that gate and not have access and have to... may have a difficult time turning around. On the GDP, the applicant shows how somebody in a vehicle can kind of make a three point turn and work their way back. That's... it looks like it doesn't, may not be for like a big box truck.

Mr. Randall: Yeah, I was going to say, a vehicle is one thing; a 26-foot rental truck that you're trying to drop off all of your, all of your household goods probably wouldn't be able to turn around. They'd have to back all the way back out. Correct?

Mr. Zuraf: Right, right. So we have the condition now where it's worded that we have these two access points and they should be one way either way. And it should be determined at time of site plan based on the Fire Marshal comments, maybe the access entrance could be at the first gate right next to the office. And then that gate by that long driveway could be the exit only. That's just an idea I'm throwing forward and haven't fully discussed that with the applicant and gotten their thoughts on that scenario. But that would maybe solve that concern.

Mr. Apicella: Again, is that something we need to address prior to making a recommendation to the Board? Or is that something that would happen downstream?

Mr. Zuraf: It's up to you if you want to make that recommendation now or you could... it would otherwise maybe be discussed at the time of site plan but wouldn't necessarily be required if it's not in the conditions.

Mr. Bain: Go back to the GDP please. Okay, and show me again the two primary access gates for somebody coming in off Cambridge Street. There's one very close that's just on the left. And then there's another one at the very end of that lane.

Mr. Zuraf: Yes.

Mr. Bain: The one that's at the end of that lane, why can't that be moved closer to Cambridge Street? But I'm wondering ,the building on the right there off of that lane is going to have storage units in it, I assume. And so there could be people parked there, loading or unloading, or in the event that the watchman's asleep or off-site, all of those storage units would be generally accessible in an unsecured

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fashion. Somebody could come in, break a lock very quickly, and get out. Why isn't that gate closer to the entrance?

Mr. Zuraf: The one only reason I could give you right now is to leave this area for the U-Haul drop-off. And, because... you know, otherwise, if this is gated off here, you don't have really any spot for U-Haul drop-off. It makes it tight. So but otherwise I may defer to the applicant to explain what their plans are and what they, you know, as far as having those, those storage units would be open for anybody to approach.

Mr. Apicella: Maybe I'm missing something. Why do you need two? Why can't you have one, again, closer to the front parallel to the I'll call it the apartments so it goes all the way across?

Mr. Zuraf: Like across here?

Mr. Apicella: Yeah.

Mr. Zuraf: I'm going to defer to the applicant to kind of explain their process and what they, you know, if that's an issue or why that might be a problem.

Mr. English: It's probably going to, if they have more than two vehicles, it's going to back up on Route 1. I don't think that's going to be a... there's probably a reason, I would assume.

Mr. Zuraf: And that could be also, if somebody's dropping off a U-Haul and the...

Mr. English: If you have a couple U-Hauls dropping off, you don't want to... yeah.

Mr. Zuraf: And if the staff is not there, you know, like you said they're there at the store or whatever and they... if nobody's around to get through that gate, then the U-Haul is stuck blocking traffic.

Mr. Bain: So the applicant is assuming the risk of theft, or at least vandalism, in that storage unit on the right-hand side. I wouldn't want to store my things there.

Mr. Zuraf: Okay.

Ms. Barnes: Mike, can I ask a quick question about this, the RVs and the boats? I'm looking that it says prohibits RVs, boats, and trailers. And just to clarify, because on the staff report, number 16, it says that they should be completely screened.

Mr. Zuraf: Yes. So that's a big change. One of the bigger changes is that that condition changes completely. Originally it envisioned that somebody could store those types of vehicles. But now the proposed condition would not allow for storage of vehicles. So the screening is not even an issue anymore.

Mr. Randall: Right. So Mike, when you say non-rental motor vehicles, what do you mean by that?

Mr. Zuraf: So, other than U-Haul trucks. So the U-Haul trucks, of course, would still in be stored in there.

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Mr. Randall: Yeah, I think we need to, I think we need to be more specific with that. I think we need to say something along prohibits storage of all motor vehicles with the exception of rented U-Haul vehicles, RVs, boats, and trailers; all motor vehicles, including ATVs, all of those things, because ATVs isn't included on here based on what you... I would just have, I would, I would say everything, everything except those rental trucks that are being rented by the applicant.

Mr. Zuraf: Okay.

Mr. Apicella: I mean, it could be easier; prohibit storage of any, any, any vehicle, RV, boat, trailer, not associated with the...

Mr. Randall: That's fine.

Mr. Apicella: ... storage facility.

Mr. Randall: Yep, that's fine.

Mr. Apicella: Is that better? Or is that clearer?

Mr. Zuraf: Yeah. I'm just trying to capture that. So the next one is adding a condition that requires a minimum travelway of 30 feet between the buildings. That is what is shown on the GDP. In talking to the Fire Marshal's office staff, 20 feet is the minimum requirement. So they are showing 30 feet. And so it'd be good to have that as a condition to avoid the potential of that travelway being less. Next one, limiting the hours of operation to 6 AM to 10 PM. And that would be the all the uses; the operation, the ability to access the facility, and then also the U-Haul operation as well.

Mr. Randall: Oh, okay. So Mike, when we did the other storage, mini-storage, we talked about two separate times. We talked about access to rent a unit and access to get into your storage unit. So are we saying that if I'm there at 6:05, the office will be open and I can rent a unit before I go to work? Is it open for business or is it open to get into my storage unit?

Mr. Zuraf: It'd be everything.

Mr. Randall: Everything.

Mr. Zuraf: Yeah, yes.

Mr. Randall: Okay, thank you.

Mr. Zuraf: Because it doesn't, it doesn't break anything out. So it's, it's...

Mr. Randall: I just want to make sure that that's the intent of the applicant, that a 6 o'clock in the morning, maybe that's why they have the watchman on site, is at 6 o'clock in the morning they're going to be open for business and people can go into the office and expect that there'll be somebody there to serve them.

Mr. Apicella: Well, we can't ensure that. I mean, we're allowing that timeframe; they might choose to open at 7 or 8, or close it at 8 PM. This just allows some flexibility. We're not assigning the hours.

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Mr. Randall: No, I'm just saying we need to be clear on what that means. Thanks.

Mr. Zuraf: And you may want to clarify if you... to say that it also includes access to the storage units, if that's the intent. Inaudible... do not get into that level of detail?

Mr. Randall: Yeah... *inaudible*.

Ms. Barnes: How do they prevent that with those ones that are right in the front that are in front of the gate? There's a whole strip of storage units that are...

Mr. Zuraf: Yeah, that was I guess that would be... there'll be no way other than if somebody... the only way that would be...

Ms. Barnes: The watchman would have to run out and say go back or?

Mr. Zuraf: Or if they're... and the only way we can enforce it from the County side is if it became a problem, there was a zoning violation called in and otherwise that wouldn't really be identified as a problem. Also, as mentioned, increasing the landscaping to include a double row, we've added more to that. So it's a double row of evergreen trees, or landscaping that's recommended by staff. We'll note that, you know, you do have kind of a gradual to steep slope along that, and that could be challenging to grow trees on that slope. So that'll get evaluated then during the site plan review.

Mr. Bain: And it wouldn't help to put the trees at the bottom of the slope. Trees should be at least midway if not to the top of the slope in order to provide that visual screening.

Mr. Zuraf: So, the upper half of the slope would be...

Mr. Bain: At least, yeah. I mean, if they're, if they're 4-foot evergreens when they're put in, it's not going to do anything till they get to be 10 or 12 feet tall. But consideration has to be given to blocking the view of the back of those storage units, I think.

Mr. Apicella: Yeah. So getting back... so these bullets don't fully represent the actual changes or language that's proposed. So going back to the trees, if you look at 19, there's a little bit more language there. I'd like to know, at the end of it, it says then a minimum size consistent with Stafford County design and construction standards for landscaping. So what is that minimum size?

Mr. Zuraf: I'd have to look into that. I don't have that with me.

Mr. Apicella: I'd want to know.

Mr. Zuraf: Yeah, yeah.

Mr. Apicella: I'm sure it's to the neighbors.

Mr. Zuraf: Alright. And then next point, to require a continuous acceleration/deceleration lane along Cambridge Street. There is already a right turn lane that goes into Southgate Avenue. It kind of stops short of where this access point would be and the GDP shows a kind of striped out area that would really basically require people leaving the site and turning right to turn right right out into the main travel lanes.

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And so the thought here is to ensure that people could turn into that right turn lane and have a chance to accelerate.

Mr. Apicella: Mike, when you're done, I'm not going to stop you now to go back. But when you're done, I'd like for you to just again, walk us through the ingress/egress to the site and also how that acceleration/deceleration lane might look.

Mr. Zuraf: Okay. Also, a condition would require access points to the internal storage units to be provided in compliance with the building code. It was pointed out that some of the buildings have, as they're shown, some of the buildings have internal storage unit corridors and they have long extended I guess stretches of hallway before you get to an exit. And so that was identified as a concern in talking to the Fire Marshal office. They have certain standards that they're going to make, they're going to require access points every so, every few feet.

Mr. Apicella: And getting back to the specificity, do we know what that might look like?

Mr. Zuraf: I don't have that level of detail. So they...

Mr. Apicella: Okay. So those two things we might, we still need to get some information on at least.

Mr. Zuraf: Okay. Alright. And also requiring the perimeter fence to be 6, a minimum of 6 feet unless required to be shorter. In some spots, it identifies the fencing and it says 4 to 6 feet in areas where it could be 6. But those areas that are adjacent to that Cool Brook Lane right-of-way, that's considered a front yard setback per our zoning. And so those fence, the fence in that location could be no taller than 4 feet. So they, they would be required to be lower there, but all other places they could be taller. Looking at the overall evaluation, positive aspects; the proposal with the proposed proffers and conditions conforms with the Comp Plan guidelines for the placing of an industrial type of use in the Suburban area. Proffers and conditions ensure the impacts of the surrounding properties are minimized. The use does not change the character of the established pattern of development. Proffers establish the quality of the buildings will conform to the adjacent residential uses. Proffers reduce the overall potential intensity of development on the site, and limits the use of the property to that shown on the General Development Plan. Access is modified to minimize safety and adjacent resident conflicts. And staff does not find apparent negative aspects. With the recommendation, staff does recommend approval with the amended proffers. Also, I mentioned that I did amend the proffers; you received a copy of that. They took away the glass wall material, but also amended one of the proffers that required only one row of, a single row of evergreen trees. And now we have a proposed condition that would require two rows of trees, so that that proffer would have been a conflict. So the applicant modified that. With the conditional use permit, staff recommends approval, subject to approval of the zoning reclassification. And at this point, I'll go back to the GDP.

Mr. Harvey: Mr. Chairman, while Mike's doing that, there was a question about the size of evergreen plantings per the County Code standards. For an evergreen tree, the minimum size is 6 feet tall and/or 3 inches in diameter at breast height.

Mr. Apicella: So what flexibility do we have to go beyond the 6 feet? Are we tied to that?

Mr. Harvey: That's the standard in the manual. You can exceed the standard. I guess one thing we'd need to take into consideration is where these plants are going. If they are on the slope, there's maybe some stability or survivability issues, especially as you get larger trees when you're planting them. So

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that would be something where staff would recommend some flexibility that maybe we could have some alternative plant types if evergreens won't grow there.

Mr. Apicella: Yeah, I hear you and I don't disagree. I just think that, again, we need to maximize what we can do to alleviate the viewshed issues that are going to be there for the neighbors. So 6 feet seems pretty small to me. So, that might be a further discussion we need to have about what seems appropriate along the perimeter. But I appreciate your providing that information, Mr. Harvey. So Mike, can you walk us through the ingress/egress and the new deceleration/acceleration lane?

Mr. Zuraf: Yeah, so you have currently the curb generally is right... sorry this is rough... starting here. It runs across here and joins up and it's hard to see at this scale. But one thing they are showing is, so here's the new proposed curb; there's a striped area here that would lead people out into the... to turn right they really have to go right into the southbound through lane. To turn left they could come out and I guess either go to the right turn lane to accelerate or go out into the main travel lane.

Mr. English: Mike, they're letting them come left... they're going to let them come left out of that? But they won't let them come left at Queensland? That doesn't make any sense.

Mr. Zuraf: It's the site conditions. Here it's...

Mr. English: I realize that.

Mr. Zuraf: ... at the higher...

Mr. English: I think, it's the site distance... not getting on you... but the sight distance right there is a whole lot worse than it is down here at the entrance to Southgate. That totally doesn't make sense. But go ahead. I'm sorry.

Mr. Zuraf: So that's the way somebody would exit and... *inaudible*... additional information you may want on that.

Mr. Apicella: So I thought we were, we created a condition, an additional condition, for a I guess I can call it a contiguous acceleration/deceleration lane that goes all the way across to the acceleration lane out of Southgate? Am I missing something?

Mr. Zuraf: No, that's correct. So that would run all the way across the existing right turn lane that goes into Southgate Avenue, it would continue all the way across the frontage of the site. And then on to this... I think it actually exists in this location as well.

Mr. Apicella: So that's again, that's a new condition that we're proposing.

Mr. Zuraf: Yes.

Mr. Apicella: Are there any, any access points or cut-throughs from this site into the Southgate subdivision proposed?

Mr. Zuraf: Only the gated emergency access point in the back corner.

Mr. Apicella: But that would only be available to the public safety community?

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Mr. Zuraf: Yes.

Mr. Apicella: Okay. So I have, in terms of traffic, compared to what could otherwise occur, if there were no change, what was the, what was the max vehicles per day if there were no changes and they could build up to 300,000 square feet?

Mr. Zuraf: The max was approximately 12,800 vehicle trips per day.

Mr. Apicella: And what's the max with this specific use?

Mr. Zuraf: Two hundred seventy-two.

Mr. Apicella: Okay. I've got some questions again that Mr. Bain was leading into about the viewshed from the Southgate subdivision. I went out there again a few days ago. So it's a very tall area. What... how is the slope going to change with this specific use? What's going to happen with these slopes?

Mr. Zuraf: My understanding is that those slopes would be retained. And the, basically, the facility itself is built on the high plateau area.

Mr. Apicella: Okay, and what is that plateau? What's the height of that plateau?

Mr. Zuraf: I looked at that the other day, and well, I don't know the exact height. But I know that the difference from the plateau down to the lower point by the street is about a 40-foot drop.

Mr. Apicella: Okay, and generally speaking, I mean, it's not the same all across the site, Queensland versus Southgate; what's the distance from I'll call it the sidewalk to the outer perimeter of the storage units?

Mr. Zuraf: I would need to scale that. I'll try to give a guesstimate.

Mr. Apicella: I mean, it's got to be at least 60 feet. Yeah, I mean, it's probably, it's probably more like 80, 90, maybe more.

Mr. Zuraf: A hundred and six feet.

Mr. Apicella: Okay, that's... somebody got that right. What I noticed was there is already a lot of vegetation and tree cover. And I guess, and I certainly think we still need to, as part of the conditions, have the additional double row of trees, evergreens, or whatever it turns out to be. But I'd like to make sure that we retain as much of that existing tree cover as possible. So when you compare what I see on this GDP to the picture that we saw, it's a little disconcerting, because it's two different worlds. And I'm hoping that we can get the applicant to do as little clearing as possible from, again, that sidewalk to the perimeter, short of the additional trees that we are asking for. How would we... how do we do that?

Mr. Zuraf: Well, just... really the trees that are there are within the area of the majority of the complex itself that's proposed. So they would have to reduce the size of the storage facility.

Mr. Apicella: So for that 106 feet, you're telling me they've got a...

Mr. Zuraf: Those are grasses, those are...



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Mr. Apicella: No, there's a lot of trees there, Mike, yeah.

Mr. Randall: Go back, go back to the picture.

Mr. Apicella: That picture is still not completely, it's still a little misleading. There are a lot of trees along Southgate and Queensland. And so, again, I would like to see as much of that existing tree cover and vegetation retained. So I think, what is it, clearance area? Try to minimize the amount of clearance that occurs? Is that the right terminology?

Mr. Zuraf: Yeah. And actually to try to establish some clearing limits.

Mr. Apicella: Clearing limits, that's it. So, what would you recommend?

Mr. Zuraf: I would ask if the applicant would be able to determine, and they may know now what their areas they need to grade for their... to develop the site. And then if they can include that in the plans, then that would be something that can be included in the conditions or a proffer or something... *inaudible*.

Mr. Randall: Right. So again, some... the concern that we have is now, and I am in 100% total agreement that we need to keep everything there. But then again, five minutes ago, we just said we wanted a double row of evergreens halfway down. And so obviously, by putting the double row of evergreens, we're going to do a fairly large amount of disturbance at about halfway down, you know; 40-foot from the top, 60-foot from the bottom, we're gonna do a fairly large amount of disturbance to plant, you know, 50 trees.

Mr. Zuraf: Right.

Mr. Randall: Right? And so there's a give and take here. I mean, are the trees enough that we don't need to plant any more trees to ensure that it doesn't get disturbed?

Mr. Apicella: Well, I would think we'd want to get those trees as close to the actual complex as possible, right. So, to the extent there are any gaps, right, that's where you would put the new trees versus what's already there.

Mr. Randall: Right. Again, and if we say, and again, I don't know, I don't know what the great... how far, how close to the slope they're going to be bringing there, and I guess this is a good question for the applicant, and whether or not there'll be enough room at the top to put those trees or in the top, or in the, you know, the top 20 feet, and then you can disturb all you want, as long as the bottom 80 feet aren't disturbed. You know, but I think we need to be clear on where we want those trees to minimize the disturbance of this, you know, very, obviously, it's a very robust grass and bush and vegetation area so that we don't have to disturb, don't have to deal with the runoff that would be caused by, you know, disturbing all that and stripping all that. So I think it's something we need to talk to the applicant about. But there is something, there's, in my opinion, there's some competing wishes here about where we want those trees versus not disturbing what's already there.

Mr. Zuraf: And it's probably valuable to get some visuals as to seeing what the condition is and what... to determine... *inaudible, two talking at once*.

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Mr. Randall: *Inaudible, two talking at once...* because it's probably a, you know, 5 to 10 year old, you know, picture.

Mr. Bain: What does our ordinance require in terms of maintenance of those trees? Are they... do they have to replace them if they die within 1 year or 5 years or never or they don't even have to replace them if they die in two weeks?

Mr. Zuraf: They do have to replace them. I guess I'll defer to... maybe Mr. Harvey can help with that.

Mr. Harvey: Mr. Chairman and Commissioner Bain, I'll look that up while you're discussing other points and get back to you.

Mr. Bain: Okay, thank you.

Mr. Apicella: Yeah, again, my concern is, and I don't know that this occurs anywhere else in Stafford County, but it seems to me that you've got a mini-storage facility very close to residential homes. I haven't seen that elsewhere in the County. It's going to be... it's definitely going to have a visual impact on the neighbors, especially those along Queensland. So besides the tree issue, maintaining what's there as much as possible, putting some evergreens closest to the perimeter of the site, if and where necessary, what else can we do, minimizing the clearance area? what else can you think of that has not yet been discussed, to further mitigate what the impacts, the visual impacts will be for the neighbors along Queensland Drive? Anything else you can think of?

Mr. English: If you're looking at another one that's kind of similar to what you're talking about, there's one up there on 610 behind the Walmart. They've got a storage facility up there, and it's built right over in the subdivision; it backs, at least three sides of it, so. And they've got a lot of trees and stuff that they hide that. That is the only one that I...

Mr. Apicella: So have you seen anything else there that you can think of that we would want to consider?

Mr. English: I think the only thing you're talking about is trees and vegetation; that's about it, because that's the only thing that blocks it. You can't see the houses from that.

Mr. Apicella: What about any other kind of screening? So we've got the security fence. What about another, you know, to the extent that it's hard for us to know how much the storage... from ground to the top of that storage unit, which is going to be 10 feet tall, it's hard to know what the person who's living across the street is going to see. So what else could we do to minimize people looking at, as you said, an industrial looking facility right across the street that they wouldn't have expected to occur there?

Mr. Zuraf: I guess the one thing, you know, that they're proposing the slatted fence, if a board on board fence that you can't see through of some type that would be... *inaudible*.

Mr. Apicella: I think that might help. I'd rather look at a fence than a storage unit, if that's my choice. So maybe that's something we need to...

Mr. Zuraf: So, it'd be another... otherwise, it's mean, the backside of the buildings are facing them. So it's not like there's open, you know, bays that would be... where there'd be activity... *inaudible*.

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Mr. Apicella: Right. It's not the same as seeing the actual activity on the site. But it's still, it's not what I'd want to see if I had bought homes there. So again, I'm trying to find a way, I can't say that there's ever going to be a win-win solution here, but try to find a way that the visual impacts aren't as glaring as it could otherwise be.

Mr. Zuraf: And the fact that it's only one story, you know, a 10-foot tall building as opposed to a multi-story building, and then probably the visual impact with this sitting up higher. And if the trees are closer to the building the, you know, your viewshed, your angle of view, once the, if the trees are thick enough and mature, then you know you're not going to... you shouldn't be able to see the building above those trees.

Mr. Bain: I'm afraid a fence wouldn't be much good because the way I see the GDP, and maybe your drawings would show differently, the slope starts immediately at the back edge of the building and dropping very steeply. If you put a 6-foot fence and then you're going to have to have some space between the fence and the building, it's going to drop three or four feet to the bottom of the fence going down that slope. So you're only really going to get an effective 2-foot cover of the building's 10 feet.

Mr. Zuraf: So I'm just referring to the fences that are between the build...

Mr. Bain: Just those.

Mr. Zuraf: ... just those fences not, fencing in the entire...

Mr. Bain: I don't, I don't like slatted, the chain link fence that slatted because those slats, strong winds start bending them, they get... fall into disrepair very quickly, they're very ugly. I would support a board on board fence in those areas. Or, I mean, especially that small one between the two buildings, why not just have a brick wall there? It's close enough...

Mr. Zuraf: That's an option as well.

Mr. Bain: ... that you can just do a continuous brick wall.

Mr. Apicella: I think we're kind of saying the same thing. We need something else besides the trees to, again, minimize the impact of the visual concerns people are going to have.

Mr. Bain: I mean, people on Queensland and Southgate that are going to be looking at this. They've been looking at grass, trees, brush, and while it may not be the most beautiful, it's a lot better than the back of a building. So I think we owe it to them to protect them a little bit.

Mr. Apicella: So I've got a couple more questions, Mike. So what impacts will occur on a residential area and Route 1 during the construction phase?

Mr. Zuraf: The, and I'd have to defer to the applicant to... on their plan for... on how they envision constructing this. My guess is this would, the construction access would be off of Route 1. And what will need to be done is there's normal like sediment and erosion control measures that have to be in place before any clearing and grading, and that all has to be managed throughout the development process.

Mr. Apicella: Okay, it seems to me most of the impact, in terms of construction, it's not necessarily going to be on the Southgate subdivision as much as it's going to be on the people who are driving north

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and south on Route 1. So I'm a little concerned; people go very fast in that area. I'm sure Mr. English would say the same thing. I mean, just trying to get out of Southgate the other day was a little bit harrowing. So do we normally ask for some kind of a construction plan to understand what the impacts might be on a major road like that?

Mr. Zuraf: Not usually at this level. I know that VDOT will require an access management plan as part of their site plan and review... review of the site plan stage.

Mr. Apicella: Okay, just one more question for right now. Did Stafford schools, because again, it's right next to a middle school, kind of going into some of the thoughts that Mr. Randall was bringing up, and the Sheriff's Office review and have any comments on the proposed rezoning and CUP?

Mr. Zuraf: I did not get any comments. They all received these, you know, proposals. I didn't get any comments from the schools. From the Sheriff's Office I did just talk to them about the issue with the corridors and they did, you know, point out that yes, the extensive corridors are not a good situation as far as safety goes, personal safety, and they did refer to me to the Fire Marshal's office because they know that they are the access standards that will require connecting, you know, egress points every so number of feet.

Mr. Apicella: Okay.

Mr. Bain: Can you show which buildings have that internal storage that you were talking about then?

Mr. Zuraf: Yes. It's not very clear but this, this building has the internal corridor all through here. And this is the one where there's one access point shown here and then there were no other access points all the way around. So it may just been something that was left off the plan, but it would be something that's required at site plan. And the Fire Marshal's office said they don't want to necessarily comment too much at this stage because the plans change sometimes and when the actual plans come in they're going to catch it then. You also have, I think this building might have something. This building has it. This one and this one, and I think this one as well.

Mr. Bain: And the access doorways would be a standard doorway, 42 inches, or something? Or would it be a garage door type opening?

Mr. Zuraf: I'm guessing they're standard doorways, but I'm not positive. The applicant can...

Mr. Bain: Yeah.

Mr. Apicella: I can't say what's going to happen with this, these two items tonight, but if it does wind up getting delayed, I'd like to reach out to the school system one last time, give them one last chop. Get their feedback. And just one last question just so it's out there. The folks who are in the mobile home park or who own the mobile home park, they don't have any issues or concerns with the inter-parcel connection?

Mr. Zuraf: I have not received any comments from them on that so...

Mr. Apicella: So they are definitely aware that this is happening?

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Mr. Zuraf: They have been, they were notified of this and as far as the inter-parcel connection, that's not... that's something that will have to be worked out at time of site plan. And if, I guess, they don't agree to it then there would not be an inter-parcel connection potentially.

Ms. Barnes: Mike, by they, what do you mean by they? Are you talking about just the owner of the mobile home park or each individual resident?

Mr. Zuraf: The owner of the mobile home park.

Ms. Barnes: So the owner of it knows, but the individual residents, we have no idea if they know or not.

Mr. Zuraf: Right.

Ms. Barnes: Okay, thank you.

Mr. Apicella: What's the...

Mr. Bain: How do they get in and out now? Where do they get in and out?

Mr. Zuraf: The main entrance is in this location. They are relocating... this would take, this access point takes the place of this current access point, which is the actual steep, kind of a steep grade. So I'll defer to the applicant if they've had discussions with the owner. If they're proposing to do away with one of their access points, I'm assuming they've talked to them.

Mr. Apicella: Alright, other questions for staff? Alright. Thank you very much, Mr. Zuraf. Would the applicant like to come forward?

Mr. Leming: Good evening Mr. Chairman, members of the Planning Commission. I'm Clark Leming. I'm here on behalf of the applicant. I have with me the representative, the owner here, Justin Boynton, and another Justin, the engineer. So between the three of us, I think we can be responsive to your questions. And we've listened closely. And fortunately, there has been some previous discussion of most of the issues that you've gotten into. Let me make a few general points. First, this was an early effort to do some kind of mixed use zoning with the residential and the commercial component. For various reasons, the commercial did not develop. It will at some point when there's the demand, even though it's at least 20 feet up there on the sky. And the access is something of a challenge. But I think, whoever pointed out, I think Mr. Zuraf, the kind of neighborhood commercial uses that would come in there would be the dry cleaners, possibly fast food with fuel... I mean food without fuel sales, but a nail salon, barber shop, things like that, maybe there's room for a small grocery, but those would be the by-right uses that could come into. So this is what the applicant has already done here. And I don't think it's insignificant. And was in response to the concerns raised by the neighbors and by the Supervisor, who we met with early on in this process. First is to completely reorient to Route 1 and eliminate any access except for the emergency access through Southgate. The buffering, and we'll come back to that, but significant effort has been made to provide the kind of buffering that has, that was discussed at these early meetings. And leading to the façade, and I get the tension between what you're looking at and how to better screen it, what to use. The preference of the Supervisor at these earlier meetings was to show the façade of the back of these buildings that was not unpleasant to look at. Remember, these are typically metal buildings. So what is shown in the architectural, the brick columns and the hardie-plank were her preference. So that's why that's in there. Now, we're perfectly open to looking at other things or additional vegetation in addition to that, but that's where that came from. This is, this is also one

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story. You may know that there are a number of self-storage facilities that go up to even three floors. But we've kept this at one story except for the office and the resident of the caretaker there. That was a good idea about the rent there, Mr. Bain, but it hadn't occurred to us so far...

Mr. Bain: No, it wasn't a good idea.

Mr. Leming: We hadn't thought about it, but that's not going to happen, it can't happen. This is, and it's an incredibly low intense use, you know, nobody gets real excited about self-storage. There's a great demand for it out there because these facilities keep going up all over the County. And they get filled up when they go up. So a lot of people have got stuff to store. It is, it is I think in a location like this an excellent interim use, and maybe that something else more intense will come there at some point or want to come there at some point in the future. If you approve this, they're going to have to come back in to visit with you and the Board of Supervisors. But you look at the gap, the difference between the traffic generated by the by-right use and what's generated by this facility, but generally they're very low intensity. They're quiet as commercial or quasi-industrial uses go. So if you're, if you're going to have a neighbor, that is not residential, then this is not a bad possibility. Now, what I'd like to say and I don't know who to... it's between Mr. Apicella and Mr. Randall, I don't know who to blame. I mean, thank for the long list of issues that we got late yesterday afternoon. But actually that was very helpful because, you know, that's what's generated the discussion. And the good news, and I'm going to try to make this easy, I don't ... I think there are a number of things that you all want to look at further. Remember, as with some previous matters that have come before you, there's a proffer amendment here and a conditional use permit; you guys do the conditions. And, you know, the County Attorney and Mr. Harvey and his staff will give you guidance as to where that line is between what you can put in a condition and when you have to switch over to a proffer. But I think, you know, just about everything that's in the conditions right now is properly there. And the good news is that, having been through this, let's call them the exercise of the 13 issues identified late yesterday, that through that exercise there have been generated some new conditions. And by and large, we don't have great issues with the conditions that Mr. Zuraf has worked on today. And I realize that there are a few others that you, that you want to tinker with further. With regard to the, to the storage of non-rental vehicles, I'm aware that in some other cases you have prohibited that in the conditions and that's what the condition says now. The only interest on the part of the owner, this is not going to go up all at once, this will go up over a period of time and will be driven somewhat by the demand. But the only thought on the part of the applicant was simply that it's a good interim use, but there was no plan. And no, no request, no plea, nothing to have that use after the build-out. But it was, it was thought to be a reasonable interim use, provided that this is all internal. But you'll have to weigh that against the precedent that you all have set up in other, with other locations. But the travel, the 30-foot travelways, remember these are, these are set up as drivable access units. I mean, you go right to them and unload and attain access then come out to your vehicle. So no, no issues with that or the hours of operation. The double row of trees is fine. I agree completely with what Mr. Randall said, I mean, you're dealing with a steep slope here. And so, you know, what's going to be effective vegetation on a slope like this? It's not our intention to disturb the slope or interrupt any of that vegetation in that area, except for the emergency access. That's the only place where something needs to be cleared. And I think pursuant to your discussion with Mr. Zuraf earlier, we understand that that really is the place where that, where that emergency access needs to go. But that would be it. I mean, there's, you know, unless the County imposes some stormwater requirement that interferes with that slope, we're staying off the slope and leave it as is. And whatever we figure out is the most effective way to provide an attractive visual appearance from the street below, we're open to it. But, you know, previous efforts resulted in the façade that is placed on the buildings. But, you know, if somebody has a better idea. Fencing – we're happy to fence anywhere you want us to do. We have no problem with the 6-foot fence in all of the areas where the fencing is shown, but if you want another

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kind of fencing or fencing in another place then, you know, we're open to that as well. Let's talk a little bit about the continuous acceleration right-turn lane on Route 1. And Mike, there were a couple of pictures that I had sent. These are aerials also but I think they help to make the point I'm going to endeavor to make here, if Mike can pull them up. Okay, let's... can you go back to the previous one? There's another one, too, that I'll start with. Just to tie up a loose point here, this is, here is Cool Brook and then not shown here, but this access coming on out to Route 1 comes through all of this vegetation. Somebody had a concern I think about there being something so that there could be some access there. You can see the only thing that the applicant is going to do is to establish that access point between parcel A and parcel B so you can get from one to the other. But, you know, otherwise, you know, that foliage within the easement area is not going to be disturbed by us. It's not ours to disturb. It belongs to the County. So, you know, there is no way for anybody to use that. Okay, now if we... I just wanted to show you that that was pretty heavily vegetated. Now, Route 1. What you see at the upper part of the screen is the lower end of the mobile home park, you see their lowest entrance. No entrance of the mobile home park is going to be eliminated here. But Lou Lane is going to be moved slightly to the south. On the GDP, as soon as you come in, there's an immediate right to get back over into the trailer park. So basically Lou Lane is going to be flipped to the other side of these mobile homes that you see here at the very bottom of the mobile home park. Now, my primary point here is you see the striping that was placed there; that's not our striping. This is, this was put there by VDOT at the time of the widening, of the improvement of the road here. And it was specifically put there to differentiate between the access to the trailer park and that traffic coming out, you know, that movement ends at a certain point where the striping starts, and then the right turn lane begins. So they're two, they're considered two completely separate movements. Now, this configuration, although the GDP shows the entrance slightly further to the south, most of this striped area is retained and it's still there. So the scenario that was run by a VDOT was okay, what is the best way to do this access, and it was the turn immediately on to Route 1, not an acceleration lane. I think the reason for that is because the continuous right turn lane does create a weave motion. So we don't know that that is traffic coming out and traffic trying to make the right turn. But this is the way VDOT set it up and this is the way they approved it when they reviewed these plans. So that's where we are on that right now. I don't know what VDOT would do or how they would respond. But we don't know if that's even possible. Now, beyond that, this striped area is only about three or four feet. So you would be coming interior to the property to an extent there is, there are utilities that would need to be relocated. I don't know, do we know whether there's... do we know what kind of utilities? Is it fiber?

Unknown speaker: Overhead electric.

Mr. Leming: Okay, overhead electric along that area there would have to be relocated. But it seems to me the starting point is whether VDOT would permit this because they're the ones that set all this up. So we will do whatever we can to work with you. But this has already been vetted, you know, to that extent, and this was the result. So you may, you may need to have another discussion with VDOT and ask what their reaction would be to having that continuous right turn lane here, bearing in mind that, you know, you also would have the trailer park traffic coming in just to the north of that onto Route 1. Now, so, my message tonight, and it's pretty clear to me that there are some unanswered questions and some other information that you all need to attain. But, you know, we're, it seems to me that the... on the access issue, you know, where the gates should be, you know, we're very open on those issues. We designed it, you know, specifically to permit the rental of trucks and trailers to be able to come on to the site without stopping, you know, closer to Route 1 so that they can come in and get parked at any point in time. We can certainly, Mr. Bain, put special locks on the doors of that first facility to the right that would be outside of the gate that's further in. But, you know, we're, that's, that's where we arrived, you know, trying to balance these issues. But we're certainly open to, you know, some other arrangement

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for access that you might like us to consider. But those are the main issues. So access, your buffer, what you want to do about that, particularly over on Queensland, I think, and this acceleration right turn lane, you know, but we're open and ready to work with you. And there's been a lot accomplished here on this application to date in an effort to be responsive to the concerns that materialized early on within the residential development. You look like you want to ask something?

Mr. Randall: Always. You just mentioned so that's what triggered me. Can we go back to the GDP for a second, please? I don't know. Mr. Leming, if you have it. Alright, alright. Are you are you a good drawer?

Mr. Leming: Not me. No, sir. No, but I have a drawer here. I have a good drawer here.

Mr. Randall: Alright. So you currently have...

Mr. Leming: I think you remember that I'm not a good drawer.

Mr. Randall: Who knows what's changed in the last three months? So, you may have gone to class. So the fences, the gate that, the gates at the very top of that long line, correct, right there. So how, what's your proposed security options? Normally, the idea of having a storage unit is that it's behind a locked gate, it's secure. Not only is it secure with my lock, or the lock from the development, but it's also secured because it's behind a locked gate, and they need a code to get to it. Right? That would not be the case for these units up front, correct?

Mr. Boynton: That's a question for him, sorry.

Mr. Leming: This is Mr. Boynton.

Mr. Randall: Yeah. If you just... your name and your address, please.

Mr. Boynton: Of course, yep. My name is Justin Boynton, thank you so much for your question, your time and attention. So our family owns and manages these facilities.

Mr. Randall: Sure.

Mr. Boynton: So completely, appreciate that. And as you can imagine, we can't operate if we're not safe and secure. So what would happen in those instances is one, there's 24-hour recorded video surveillance that's advertised and maintained on the site. We also have that onsite manager. And along that corridor, almost certainly, these are gonna be climate controlled units that you have to enter a code into a keypad to get past that door to then get into a corridor of units. So just security is a core business principle we can't operate without.

Mr. Randall: Sure. So, okay, I totally agree, whatever, yes. So what would be the problem with moving that gate down farther, I guess would be west?

Mr. Leming: This gate down... closer to Route 1?

Mr. Randall: Closer, yes. Is the soul concern because now you don't have a place to store or have 24-hour return of trucks?



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Mr. Boynton: And again, we're trying to limit 24-hour return of trucks, even as a as a condition we're fine with that, that concerns the community. The main point is just in the unlikely event that there was a lot of traffic, a weekend people trying to move in or something like that, we just had a way for people to get out of that parking area so that that was safe. It's just a pure safety concern. We can move that gate as far down as you would like.

Mr. Randall: So here's, here's my concern, right. My truck probably would do it, I have an F150, it's probably enough, although it's got a horrible turn radius, it probably could still make a couple of K turns to get back out without having to drive... to reverse and back up all the way down. If for some reason, I don't have the code or the code doesn't work, right, anything bigger than that truck probably is not going to be able to make that turn. You're going to get stuck up there and they're going to leave their truck there while they walk back down to the office hoping that the man is there, the watch... whoever's there to kind of figure that out. And so the problem that you have is if you leave it all the way at the top, there's no place for people to go. They're going to be stuck. So my concern... so what I would recommend is that, and I can't draw on mine so you can see it, you'll just have to read it. If you move the gate, I don't know, 20 feet, 30 feet up a little so you have a little bit of stacking, you take away those storage units on the right so that you have people that can park there or you can put U-Haul trucks there when they do a 24-hour return, that would get them out of the flow of traffic, that would give them some parking spaces right there and it would make the gate close enough that people could back out and turn around and also they wouldn't have to jog all the way up from the top if they had a problem.

Mr. Boynton: That's better.

Mr. Randall: Right? I think that would be significantly better. You know, I don't know if you want to draw that somewhere, Mike, if you want to draw that where we think that would go.

Mr. Leming: We have drawers, okay.

Mr. Randall: Okay.

Mr. Leming: Okay. Justin, come back up and draw this in. Alright. Alright, what'd you say, about halfway?

Mr. Randall: No, I would... you see where that line is right there that documents the 30-foot?

Mr. Leming: Yeah.

Mr. Randall: Right there. That's where I would put the gate. Everything to the right of that I would make parking. So you could have customer parking. You could have...

Mr. Boynton: Whoops, what happened?

Mr. Randall: I thought you were a drawer?

Mr. Boynton: It changed on me; I didn't do it.

Mr. Randall: What happened here? Okay. You have to draw without putting your hand on it.

Mr. Boynton: Maybe that's what it is, yeah.

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Mr. Randall: Don't put your hand on it. There you go. There or on, there or on the other side, either way. Right? That would all be parking or places where you can store 24-hour storage and then everything to the, everything to the west of that would all be behind a locked gate. Right? And I think that would be a much better, much better for everyone, it would give people a chance to turn around, they would be able to stop right there and get help at the gate if they needed it.

Mr. Leming: Will you let us think about that and look at that?

Mr. Randall: Yeah, yeah, yeah, no, no, that's fine.

Mr. Boynton: Yes, sir. And just again, and to the members of the community, too. I mean, we just want to be kind of a safe, boring neighbor. So anything that you suggest that makes it...

Mr. Randall: To be more, to be more boring?

Mr. Boynton: Or to say again, we welcome that. We've got nothing that we're trying to push on that front.

Mr. Leming: One thing I neglected to mention is that Justin and his family have set up, developed, and operated a number of these facilities, and are actually working on a couple of others in other locations right now. So they do know their business very well. This is not a new one for them.

Ms. Barnes: Mr. Leming, can I, can I ask you something before we go on? Twenty-four hour return kind of got my radar up.

Mr. Leming: We're not doing that; we agreed to the hours here.

Ms. Barnes: Okay. Because you keep on saying 24-hour return and I keep bristling at that. Thank you.

Mr. Leming: We're saying we don't want that, we're trying to avoid that. We know that's bad, okay.

Ms. Barnes: Thank you.

Mr. Bain: Mr. Leming, something just caught my eye looking at the GDP. You have the drive coming down to the security gate. And if you turn left, and then it looks like there's a courtyard; there's a shorter building than the ones on each side of it. What's the purpose of that courtyard area? Does that have any special function? Is it underground stormwater storage or...?

Mr. Leming: Okay, do you know where he's, where Mr. Bain's referring to?

Mr. Troidl: I believe he's referring to right...

Mr. Bain: Yeah.

Mr. Troidl: That's for the U-Haul storage. So once it's returned, it would be stored internal to the facility. So they'd be parked permanently there.

Mr. Bain: Ahh, okay, I see, I see. Okay.

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Mr. Troidl: So it's not visible from the...

Mr. Bain: I see, I see, okay.

Mr. Leming: Nobody can see our equipment.

Mr. Bain: Okay. Alright. And once again, you've messed up the drawing. I don't know. We're gonna have to check your license. Yeah. Okay, thank you.

Mr. Apicella: Other questions for the applicant? So why a mini-storage here?

Mr. Leming: Why... you said why a storage?

Mr. Apicella: Why a mini-storage on this site?

Mr. Leming: Alright, I think that's a better question for, for Justin, this Justin to answer.

Mr. Boynton: From a business owner perspective, just we're confident that there's demand there. Again, one of the core things that I think kind of makes this also good for the neighbors is just, as you know, the access point that is currently proffered has any traffic for this pour-out right onto Southgate Avenue because this is self-storage and has such low vehicle traffic generated. With this special use, we're able to have VDOT allow this access point on Cambridge. So I guess, you said there's two components; we believe that there's a demand there as a business owner. As far as the community, we think we've got a real quiet use that would be protective to the surrounding area.

Mr. Leming: Did your question go more to demand?

Mr. Apicella: Yeah, demand and also, you know, why is this a good site?

Mr. Leming: Okay, well, I think you, you know, trying to tell you that, you know, because of what they're permitted to do, coming off of Route 1 there, you know, that, that that makes it feasible from an operational standpoint. And they know their, they know their business, they're not going to try to put one somewhere they don't think they can sell storage so.

Mr. Apicella: Okay, thanks. So, you've talked about it, we've talked about it, I guess I'm going to throw kind of back at you to and staff, to the extent that this thing might get held off tonight. Are there any other things that you can think of, as a business owner, as the agent for the business owner, to further mitigate the impact, the visual impacts on the neighbors along Queensland? We talked about some of those things, like a board on board fence or a brick fence, something to further shield the view from across the street so that folks who are in their second story of their house, they're not looking at the top of these storage units.

Mr. Leming: And I think that, and I don't mean to be redundant, but I think the materials that were used for the back of the façade was to address that very issue. So you're not looking at other, what otherwise would be metal industrial buildings. Now, one of your questions...

Mr. Apicella: It's still going to look like storage units, it's not going to look like, it's not going to look like other businesses that you might see or another residential development. It's going to look like a

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mini-storage facility. As much as you might try to change the aesthetics of it, it's still going to look like a storage facility.

Mr. Leming: Well, if it were retail commercial, you would see the back of retail buildings.

Mr. Apicella: Right. But it's, you've got this long line, you don't normally see that on a business site where you have, except if you had a, what do you call it... a strip mall, but which I would not expect to see there. But for being this close to a residential development, it just it does look industrial, it does not look like what you would expect to see even if you had other businesses there, in my opinion.

Mr. Leming: One of your questions, I assume it came from you, is there another way to look at, make this look more residential?

Mr. Apicella: Yeah.

Mr. Leming: I don't know if there's another façade that does that, but...

Mr. Apicella: Well, I think there's... I didn't have a chance to look, but I'm sure that somebody's built a storage facility that doesn't look like a storage. And I use as an example, parking garages. You can build a parking garage that looks nothing like a parking garage, that looks like, you know, an office building. And I'm wondering if that's not something that could be achieved here, aesthetically. I don't know, but I suspect that's possible.

Mr. Leming: Let us give some thought to that to see if there... seems to be it makes more sense to try to come up with a more favorable looking structure than to try to obscure it with say, opaque fencing, which has its own built-in problems. I think, because of the height, I do think the trees if they can be established at the upper level, and they'll grow there, that that's going to provide some additional screening. I think that that makes a lot of sense. But we'll give some other thought to it. At other storage facilities, the one building, and we do that here, that always looks like a house... well always... most of the time looks like a house is the office. And if you look at the one on 610, the one over on the upper part of Route 1, you know, close to where the old Pizza Hut was up there, you know, their entrance, it looks like you're driving into a house and the same thing with the one on 610. So that, we tried to replicate that here, I mean, this this broad structure will look like that. But we'll give some additional thought to the, to the backside there and see if there's another... but I think you've probably exhausted the realm of possibility. We've changed the appearance of things, put more plantings in, put different fencing in, you know. Now the other thing that nobody's mentioned, I think is remember, yes, you're looking at this, but there's some benefit to it being that high. I mean, if I'm going to see it, I'm going to be looking like this, you know, not straight ahead. And what you're going to see straight ahead, it's going to be the bank. Remember, this is 20 feet up, and then the building is higher than that.

Mr. Apicella: That's true if you're at the ground level, but if you're in... if you're in your second story of your house, and that's your master bedroom, that's what you're going to see outside your master bedroom. So I think we're sort of on the same page that maybe there's some things that we could do differently to make this more visually appealing.

Mr. Leming: We'll give it, we'll give it some thought.

Mr. Apicella: Mr. Bain?

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Mr. Bain: I'm afraid I'm going to be a little more radical, because you made the point that if this was a commercial facility, you know, shops and stuff, you'd see the back of those buildings. But you wouldn't because there would be a fire requirement to have a fire lane behind those buildings between the top of that slope and the building wall. And that would be at least a 20-foot fire lane, which would push the buildings further on the flat portion of the property. Your design puts the buildings right at the edge of that slope. It would be possible, very easy, to shorten the length of some of those other buildings and pull that perimeter building back in 10 or 15 feet to where if you look up the slope, you'd barely see the top of the building. So rather than trying to screen it, move it back from the top of the slope 15, 20 feet to allow the ground itself hide the building rather than maximize every possible square foot of development area for storage.

Mr. English: You're still not going to hide it because just like Mr. Apicella said, if you're in your bedroom window, you're still going to see it.

Mr. Bain: Well, it would be a lot better and, you know, better than fencing.

Mr. Leming: We'll, we'll try to give it some additional thought. I mean, I think we want the neighbors to feel like they're looking at something pleasant. With regard to the commercial though, one thing we... that that doesn't control for is the height. One thing we've agreed to do is to keep this at one story. So you know, I mean, arguably, whatever is built there could be a lot higher than this, too, you know. But we'll see if there's... inaudible.

Mr. Randall: One quick question. Sorry, before we start with the public hearing. What's your time for build-out?

Mr. Leming: Well, how long have you been working on this now, Justin?

Mr. Randall: Okay, let me rephrase that.

Mr. Leming: Yes.

Mr. Randall: When are you going to start renting these storage units?

Mr. Boynton: Again, once we can ensure that we have this properly screened off, and it's acceptable to the community, we would start immediate on construction.

Mr. Randall: On construction and you expect that to be 6 to 18 months?

Mr. Boynton: Self Storage? I mean, once you have the permit, construction time is even less than that potentially.

Mr. Randall: Okay, thank you.

Mr. Leming: It can go fairly quickly.

Mr. Apicella: Any other questions? I have one other question. I know this is going to seem like it's kind of out of left field, but it stuck out at me when I drove around Southgate. You've got 152 homes in that development, and the only recreational amenity I could find was a basketball court. Being a good possible neighbor, have you given any thought to helping out the homeowners association, the

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development with any kind of additional recreational amenity that they could utilize? There was a empty site close to where I guess I call it pad two would be or part B, whatever, would be. Again, just some thought to how you might help out the residential community with their lack of residential... with recreational amenities.

Mr. Leming: We appreciate that and we did note something about that request. And we will... part of that... recall that we have another stopping point. So, you know, I only have a few cards in here. I don't want to play them prematurely.

Mr. Apicella: Understand.

Mr. Leming: We understand your request.

Mr. Apicella: I appreciate that. Alright, I thank you. So I'm going to open the public hearing on this matter. This is an opportunity to provide their comments. When you come up to the podium, please state your name and address. The clock starts when you see the green light. Yellow means there's 1 minute left. And red means please wrap up your comments. So if anybody's interested in speaking on this matter, please come forward.

Ms. Evans: Good evening Commissioners and Chair. I'm Kecia Evans, and I am the president of the Southgate Homeowners Association. On behalf of the homeowners in Southgate, we would like to inform the Commission that we are actually in opposition of the proposal to amend the proffered conditions on 8.16 acres zoned B-2, Urban Commercial to limit the permitted use to include a mini-storage warehouse, and an accessory truck rental as well as a dwelling for a watchman or caretaker on Tax Map Parcel 45-165. We believe that if such proffer is approved that there would be a significant impact on transportation, noise, lights, and on the Southgate recreational area, decreasing the value of our homes. If such proffer is approved, we seek for the following on the CUP under the proposed conditions. We seek that item number 5 through 8 be taken out, eliminating the U-Haul rental and only making it a storage facility. We seek that item number 16 be removed entirely, not allowing storage of boats, RVs, and campers or other vehicles. We also ask if the proffer is approved, the storage facility will be part of the community. And for that reason alone we ask for a proffer setting aside monies for Drew Middle School. We ask for a proffer for a transportation easement along Route 1. We ask for additional street lighting to mitigate cut-through traffic and we ask for a fully functioning interchange and not a pork chop. We seek clarification on how stormwater will be routed and responsibility for the cost of maintaining the stormwater pond. And we request No Through Street signage for Southgate Avenue or No Commercial Traffic to deter trucks cutting through the neighborhood. We also ask, we would like to know the plans for the developer to maintain their portion of the lot that adjoins the common area of the association on Cool Brook. Currently it is being maintained by the HOA. Finally, we request a wall versus the slated aluminum fence to separate the facility from the association. Hearing notes indicated a security fence is required, if we were asking for a brick wall topped with iron similar to the community's retaining wall. And that's it. Thank you so much.

Mr. Apicella: Thank you, Ms. Evans. Anyone else like to speak?

Mr. Smith: Good evening, my name is Barry Smith. My concern is in looking at where they're going to place this, the environmental hazard or impact. I haven't heard anything that addresses what can be stored at the facility. And if it were to permeate the structure, how they could potentially contaminate the groundwater or any other type of flow and flow into my property, and potentially present a hazard to myself and my family. And my background, I develop and design the Navy's new construction carriers

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and one of the things that I have to be concerned with is the storage and maintain of hazardous materials. So I haven't heard of anything that's going to speak to the enforcement of somebody bringing equipment on or, and it doesn't have to necessarily be industrial, and stored in that facility and 10 years from now there's a leak and the next thing I know I'm footing a bill for some type of medical, resulting medical issue for my family. There are also additional concerns where in looking at this community, the rural areas, one of the things that attracted me to that home and also the throughput to Drew Middle School where my son walks to school and quite a few other students in that area. So my concern is once you increase that traffic and increase that storage facility, it kind of for lack of better words breaks that bond in terms of community and there are outside entities that would be in the community and would be observing in the comings and goings or our children which I don't find acceptable. Thank you.

Mr. Apicella: Thank you sir.

Mr. Rinko: My name is Robert Rinko. I live down in a cul-de-sac and actually one of the issues we are having, we had the County come out last year, is we have runoff from the way the design of Southgate, you know, the development of the Southgate road, we've got some issues with runoff already. So what would be the impact? You know, what would... what would this trigger, you know, if any, what impact would it have? And again, most of the Commission here has already touched on... said a lot of what I was thinking again about the appearance of it. And you know, they talk about all, well you're not going to see it on the hill. The thing is I'm down in you could say the valley or in the cul-de-sac there so when you look up, that's part of the reason why we bought our home is because of the view. There's nothing behind us and we were hoping it would stay that way. And I really hope this project does not go forward. I just, you know, again most of you and again the Route 1 issue, I mean we've already... I've been working from home and there's already been two accidents coming out of Southgate because again coming down over that hill there, you know, and again sometimes the speed of traffic and then well when 95 is an issue but again I see they open local lanes so maybe that hopefully will alleviate some of the issues. But man, on the weekends you really can't get out. The traffic is so backed up trying to get through... go down 1. So again I believe Commissioner English, I hope I address you properly, like you said about 1, I mean the traffic there. And that's why you have a right coming out of there; you're not supposed to turn left. So anyway, I mean that's an issue and again just the appearance. Chairman, forgive me, Steven... I'm new, we just moved here a year ago for work and learning about Stafford County here. But anyway, you know, you brought about the appearance. I mean really, that's... it just ruins it. And I guess it's disappointing to find out that's a residential area but yet it was already, it was already zoned commercial and it's like to allow residential and now you got commercial. It's really not, I mean it really don't work well together. And again, I think Commissioner English brought up about that other storage unit. Now again, if it's level with the homes like you know, level, I guess it wouldn't be too bad if you put trees and things like that. But again, this is on a hill. So anyway, I just really hope you guys consider that and I really appreciate you guys considering the residents and you guys have all had good questions and concerns. I really appreciate it. Thank you.

Mr. Apicella: Thank you, sir.

Mr. Hopkins: Hello, my name is Jason Hopkins. Thank you for the opportunity to speak tonight. What I, what I'm most concerned about is obviously, I live at 31 Cool Brook Lane, that's right at the corner of Queensland and Cool Brook. So we are going to be the most impacted out of all of our neighbors. Partly because we're going to be looking at everything just like Queensland is and the other part of is right adjacent to our home, almost directly across the street, is a watch quarters. I ask if we move forward with this project that the watch quarters be removed out of the neighborhood. That is gonna be right squarely in the neighborhood. You have a rec area where all the kids are playing, and then you have

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watch quarters. I just don't think those two mix very well together. My other biggest issue is we already have a lot of through traffic coming through the neighborhood. We have industrial trucks, folks that are supposedly professionals. We're going to have a U-Haul rental facility, potentially, and you're going to have people that are not accustomed to driving 26-foot trucks coming through our neighborhood. You may not be aware, the kids that go to Drew Middle School in our neighborhood have to walk; there is no bus service for them. So they're required to walk to school. We already have a lot of kids that potentially almost get run over because everybody runs the stop sign right next to my house. You add a watch quarter there, it's going to get worse. Thank you.

Mr. Apicella: Thank you, sir.

Mr. Bain: Sir, sir, could you come back a minute?

Mr. Hopkins: Sure.

Mr. Bain: I'm not sure I understand what a watch corner is.

Mr. Hopkins: So where they're going to house the watchman.

Mr. Bain: Is way over on Cambridge side, not at the back corner.

Mr. Hopkins: What is at the corner?

*Inaudible.*

Mr. Hopkins: Okay, so that storage part is also going to be right... it's... I mean, it's in the neighborhood.

Mr. Bain: Alright, now I... *inaudible.*

Mr. Randall: It's emergency access that's going to be right there next to your property.

Mr. Hopkins: Right. And you also have the 4-foot...

Mr. Randall: That's what's there.

Mr. Hopkins: Right. And you also have the 4-foot fence, which is another concern with all those kids walking in the neighborhood. That's only four feet.

Mr. Randall: Yeah. Okay.

Mr. Apicella: Again, this is not unfortunately a back and forth dialogue. I appreciate your clarifying what you were talking about. We were all not clear what you meant. But thanks.

Mr. Meis: Good evening, my name is Terry Meis. I'm the secretary with HOA Association. And I want to thank you guys for your time, I appreciate that. A couple questions and an insight that I have. What's going to happen when this road opens up behind the trailer park, and you have two gates there that are accessible? That's gonna allow vehicles coming in and out of our neighborhood to go through those gated facilities in the back between parcel one and parcel two as you guys were calling it. So that's a concern. Also, where Jason's house is, coming down that hill is going to be the emergency gate. That



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is going to require if fire truck comes down Cool Brook to make a right turn and then a quick left to get into that security gate. I think that's going to be very, you know, unacceptable, it's gonna be hard for a fire truck to make those two quick turns there. I don't understand why it cannot be moved over to the Cool Brook Lane side and coming straight in where they're going to have these two access points from parcel one and parcel two to begin with. The other thing, again, is runoff water was mentioned. You're getting rid of all this vegetation that's there. How is that going to impact our runoff facilities that we have now that's in the community? Where's that water going to go? Is it going to flow right out to Queensland, into somebody's front yard and street? So that's a concern, as well. They mentioned the, the traffic; I think that's one of my major issues. You're... we're gonna have to dodge, you know, vehicles coming in and out of there to make a right into our community, which is already difficult, you know, in that turn lane. To get over when people are flying up behind you doing 45, 50 miles an hour, it's a very congested area there. And allowing a left turn, I think is a major concern. I believe myself that these trucks are going to make a right turn, come through our neighborhood to access Truslow on the back side, to go towards Stafford High School to either get to 17 or back out to Route 1. There is one lane in our neighborhood that is so narrow, you cannot get but one car through. So a 26-foot box truck trying to get through there, when only one car can get down that street, is going to be impossible. So I have a concern with that. How are we going to keep these trucks from accessing that road and making it very difficult? You know, you added mentioning, what could you throw in to the neighbors? You know, we're open to that as well. And if we can address these other concerns, I will tell you guys, you might come to us with a pool. That's a major concern, the neighbors really want to pool. So if you want a fighting point, I'm just gonna throw it out there. But other than that, those are the major concerns that I have. Thank you for your evening.

Mr. Apicella: Thank you. I'd like a pool as well.

Ms. Hopkins: Sorry, I have questions myself. My name is Melissa Hopkins. I live at the corner house between Cool Brook and Queensland. My concern is because where we are situated we have a front yard view of the storage unit, a side view and also from our backyard we're going to see everything. And then the emergency... sorry, I'm nervous... the emergency access just to me is gonna be an eyesore for us to look at, because it's going to be a 4-foot fence and you're going to have pavers or something going out. So it's not going to be blocked by trees and things like the other portion... sorry. And then also the traffic coming into our neighborhood. Like he said, we have one lane that people can't get, you have to stop and let people go through and if we have more trucks coming through, because we're already cut, sorry, we're already cut-through to go to Truslow. Sorry, I just get so upset. But yeah, a lot of people cut-through our neighborhood already because the traffic on Route 1 is always backed up, they'll cut through and go to Truslow. And it's an issue, we live on the corner. And that light or traffic or stop sign there, no one stops. I walk my dogs, almost get run over, kids walking to school. It's already an issue. And that's my biggest concern. And then I wasn't really sure, I'd have to research a little bit more, this section over in the rec area next to it. The fencing part of it, if it being open, that was kind of concerning to me. I thought I heard it's just trees, or fencing. I'm not sure. But that kind of concerns me as well, because the people cutting through, kids jump the fences and stuff like that all the time now. So those are the only concerns. Thank you, sorry..

Mr. Apicella: You did ,you did great. Anyone else? Okay, I'm going to bring it back to the Commission. I'm not going to close the public hearing. Mr. Leming, do you have any comments in response to the concerns raised by...?

Mr. Leming: Only if it will be helpful to you, yes, I can, I can respond to a few of the points. But I'm also happy to wait till your next meeting, if that's more convenient for you.

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Mr. Apicella: It's your call if you want to respond. I would like to address one issue. Either you, Mr. Leming, or Mr. Zuraf. Again, as I looked at the GDP, I heard several people raise concerns about cut-throughs and going through the neighborhood. As I see it, it's not possible for folks to drive from the storage facility onto or into the residential development. The only possibility would be for fire trucks, public safety to go from the development into the storage facility on an emergency only basis. Am I correct?

Mr. Leming: That's how, that's how I saw it also. I was a little confused by the concern about U-Haul trucks coming through the neighborhood because of course, they would come out onto Route 1. I think the point being made was well, if you wanted to cut over to Truslow Road, you could come in through Southgate and wind around. But if I were driving a U-Haul truck, I would keep going down Route 1 to Truslow Road. So I'm not sure that's a... I'm not sure you're going to have many truck drivers. And remember, the trucks we're talking about here, these are U-Haul trucks. So, I mean, they don't... what's the largest size of a...?

Mr. Boynton: The largest size is a 26-foot U-Haul truck.

Mr. Leming: It's a 26? Of course, most people rent much smaller vehicles from, from U-Hauls, so I don't think that's a concern.

Right. But again, the bottom line is there's no direct access from the storage facility to the development?

Mr. Bain: And just to clarify for the issue that Ms. Hopkins phrased about the fencing around that outer parcel, around the outer perimeter of it, not on the Cool Brook portion of it, but around the rest of it, it would be a 6-foot fence, wouldn't it Mike?

Mr. Zuraf: Right. Yeah, it would be a 6-foot fence except for the area, and if we go to the... thank you. Yeah, so just to point out the area of 4-foot fence would be here.

Mr. Randall: And why is that Mike?

Mr. Zuraf: Because that's, that's a...

Mr. Bain: Considered a front yard.

Mr. Zuraf: ... yard, it's considered a yard setback or front yard area. And it...

Mr. Randall: Because it borders on a right-of-way, correct?

Mr. Zuraf: Yes, there's right-of-way...

Mr. Randall: Because it borders on the County's right-of-way. And because it borders on the County's right-of-way, the ordinance in the County limits the height of that to a 4-foot fence.

Mr. Zuraf: Correct.

Mr. Randall: Is that correct.

Mr. Zuraf: Yes.

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Mr. Randall: Okay. So let's draw in, in red, the 4-foot front yard height that's limited by ordinance and then in the blue, let's put the 6-foot fences, where those would be.

Mr. Zuraf: Approximately there. That might be it.

Mr. Randall: Okay, now, how high would be the fence for the emergency access? Would it be a swinging gate? How big would that gate be?

Mr. Zuraf: I am not certain how that ends up being designed.

Mr. Randall: Okay.

Mr. Bain: Could the applicant request a variance to allow a 6-foot fence in those areas?

Mr. Zuraf: To have a fence, a taller fence, the applicant would actually have to get a conditional use permit. So, you can see conditions...

Mr. Bain: And they're asking for a conditional use permit, aren't they? Would it be a separate one?

Mr. Zuraf: Well, it could be, it could be added to this but we'd have to re-advertise.

Mr. Bain: Oh.

Mr. Randall: Can you go back to the current... can you go back to the most recent aerial photo for a second? I think the one that... it shows all the trees in there. Okay. That's fine. That's fine. It gives... it sends a message. So show me, draw for me where the interconnector is going to be between those two parcels? You're having drawing problems, too. Right there. So what's going to be disturbed? The only thing that's going to be disturbed in a whole section are those areas in between the red lines? Correct?

Mr. Zuraf: Right.

Mr. Randall: Alright. So all the rest of the vegetation is going to stay, all the rest of... everything's going to stay the same. I assume that that's going to be maybe 20 feet paved? Yes? Yes. Okay. So that if you needed to, you could go in and out with two cars. Alright. How long has that been a right-a-way from the County?

Mr. Zuraf: It would have been when this section of... I'm not certain exactly when this section was developed here.

Mr. Randall: What would be the conditions under which we would build, we would extend Cool Spring... Cool Brook Lane, all the way down to US 1?

Mr. Zuraf: That would likely be at the time when the Walt Lou trailer... mobile home park was redeveloped.

Mr. Randall: When they sold that, when they sold that area, and they redeveloped it, they would need to come back to us or some... the County to build, to extend Cook Brook all the way down to US 1.

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Mr. Zuraf: Yeah, well, any redevelopment of that would likely need a rezoning because it's zoned A-1. So they're going to be before the Planning Commission and Board for a rezoning and there would likely be...

Mr. Randall: Is it possible that we wouldn't, even with the rezoning, that we wouldn't extend the Cool Brook all the way down to that area?

Mr. Zuraf: I guess there's a possibility that it wouldn't, but the right-of-way is there so it could happen if, if it could be worked.

Mr. Randall: Okay. So tell me now again, about what, what goes on with developments and stormwater management. There has been some concern about where that all that water goes. So tell us, we understand the slope, right? Because that slope is not being disturbed. If we, if it goes as we've expected, as been said, tonight, we're going to move those trees up a little higher on the hill, right, which means other than the probably the top 20 feet of that slope, everything else on that slope is going to stay there. Right? And there won't be anywhere near... you're going to have the same runoff off that slope than you do right now. Which is a lot or none. Right?

Mr. Zuraf: Right.

Mr. Randall: So what's going to happen at the top once they build that out? What normally happens, and what's the requirement for the county as far as stormwater management?

Mr. Zuraf: So when the site plan comes in, the part of that is a stormwater management concept plan where the... basically the site engineers would calculate how much impact, how much impervious area is being created, and any extra runoff has to be appropriately received and managed and has to be properly controlled. The amount of runoff that comes from the property has to be equal to or less than what currently happens.

Mr. Randall: Equal to or less than is currently exist on the property?

Mr. Zuraf: Yes.

Mr. Randall: Alright. So what you're saying is, any water that comes that hits the top of those buildings is all going to be directed internal to the site and will be collected in a stormwater management process and will not be directed to the slopes and runoff down the hills.

Mr. Zuraf: It should. I may defer to the site engineer to kind of, to explain, but generally, it has to be captured and managed in some sort of way.

Alright, yeah. I'd like to hear from the engineer for a second, if you don't mind.

Mr. Troidl: That's exactly correct. So when this development was planned...

Mr. Bain: Please state your name.

Mr. Troidl: Sure. I'm Justin Troidl with Bowman Consulting. When the overall Southgate development was planned, there's a stormwater management pond that's right up against Route 1. That was sized to handle the 300,000 square feet of potential commercial in that site. So the pipes that are along

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Queensland and Southgate Avenue that go into that pond were upsized to include that impervious area. So with this development, obviously, we're less impervious here than we originally planned for that 300,000 square feet, but we would be collecting it internally. It would be piped down the slope and into those existing pipes that are underneath the road down into the pond. So those pipes were sized to handle this. And there would probably be less water actually coming down the slopes and over the sidewalk, because we would be collecting it on top of the hill and then piping it down into the existing... *inaudible*.

Mr. Randall: Piping it down into this.

Mr. Troidl: Correct.

Mr. Bain: Are you, are you storing and controlling peak discharge, or is it...

Mr. Troidl: We are at that pond. So that pond was sized for this, this... *inaudible*, being talked over.

Mr. Bain: Where is that pond?

Mr. Troidl: It's at the bottom of the site, right... Southgate, yeah, it's the end of Queensland Drive basically. That cul-de-sac, there's a stormwater management pond that's up against Route 1; it's in the B-2, that's also zoned B-2 as well. So that pond was designed for the community and for the commercial.

Mr. Bain: Okay, thank you.

Mr. Randall: Alright. And one more question for Mr. Leming. So this whole site originally had a proffer of 300,000 square feet, correct?

Mr. Leming: That's correct. No, no more than.

Mr. Randall: No more than. Alright. And so it could, it could conceivably have been that you would have leveled that whole area all the way down to street level and put 300,000 square-foot of commercial in that location. Is that... was that... could that have happened by-right?

Mr. Leming: That's conceivable, yes, if it were profitable, a profitable... *inaudible*... commercial development than yes.

Mr. Randall: But it would not have been expected that we would have put 300,000 at this, at the top of the hill like we are with like, like as planned with this mini-storage.

Mr. Leming: That would be unusual, mm-hmm.

Mr. Randall: Okay, alright. Thank you.

Mr. Leming: If I might, with regard to the mobile home park, because you did have a question about what would trigger the development there. I want the Commission to know that there have been a lot of discussions between my client and the owner of that trailer park and you know where they got? Nowhere. As you can imagine, you know, that would have opened up some interesting possibilities. But, you know, that the mobile home park is not going anywhere in the foreseeable future. And if it did develop, it's a fairly small parcel, you know. How Cool Brook Road would help with that parcel, you know, is a little unclear. So nobody has that crystal ball.

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Mr. Randall: Sure. One more question, I'm sorry, Chairman. Would you be, would you be amenable to looking at a fence on the Drew Middle School side? And putting a fence in between the school and that row of trees, the buffer in the transitional buffer? I'm not... we're going to get this again, right. I'm just thinking that you may want to consider looking at having a 6-foot fence throughout the perimeter around by the school as an additional...

Mr. Leming: You already have it down?

Mr. Randall: ... deterrent...

Mr. Leming: He says we already have it.

Mr. Randall: Oh, I didn't, I didn't see it. That's why I was wondering, that's why I was asking.

Mr. Leming: But we're fine with the fence.

Mr. Randall: Absolutely, then if you just include that in the next GDP, if you update the GDP, if you just include that on there that would be great.

Mr. Leming: Sure. I remember there was a discussion, but I think... You figure it out? It is there.

Mr. Troidl: It's on sheet 4, yeah.

Mr. Leming: It's on sheet 4, it's already there.

Mr. Randall: Alright, perfect. Thank you.

Mr. Apicella: Alright, last call for questions of the applicant or staff? Alright, so this is in the Falmouth District, which I represent. Mr. Randall, I'm going to pass the baton over to you so I can make a motion. And my motion would be to defer both the Southgate Commercial Proffer Amendment and the Southgate Commercial Conditional Use Permit to our, I think we have one meeting in November, November 10<sup>th</sup>, it's about a month away, so that staff and the applicant can work on the many issues that we talked about, probably not captured them all. But some of those were looking at the layout, looking at ways to again minimize the visual impacts on the neighbors, potentially changing some of the aesthetics as part of that consideration. I'd also like to get maybe some more information on what other options or sizes or types of vegetation might be appropriate, based on whatever you all come up with, moving that again closer to the actual site itself, and maintaining most of the vegetation, wherever it exists on the slope. I'd like to get some accident data at the exit of Southgate. Maybe again, I know the concern was raised even by the Commission about that, that left turn out of the project; just one more validation that VDOT and the Sheriff's Office don't have any issues with that. I think there was also some question about what we've been proposing and the conditions to run that acceleration/deceleration lane by VDOT just to see if they're okay with that. Did I miss anything colleagues?

Mr. Bain: Did you mention possibly making it a right-in/right-out only entrance?

Mr. Randall: That was the left-hand turn.

Mr. Bain: Oh, okay.

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Mr. Apicella: Yeah, that's my question about the left turn, whether that's... *inaudible*... further consideration, still something that we'd want to move forward with.

Mr. Randall: Alright, we have a motion. Do I have a second?

Mr. McPherson: Second.

Mr. Leming: Please indulge me just a moment. I am very far away on November the 10<sup>th</sup>. Would it be possible, I think it's okay with Mr. Boynton here, to put this on your December meeting?

Mr. Apicella: Yeah, I think our December meeting is December 8<sup>th</sup>. So I'm going to change my motion to forget that I said November 10<sup>th</sup>, I really meant December 8<sup>th</sup>.

Mr. McPherson: Re-second.

Mr. Randall: Absolutely. So we have a motion to defer items RC18, Reclassification 18152265 and a Conditional Use Permit, CUP20153251, defer the public hearing until the 8<sup>th</sup> of December's meeting. And we have a second. Any comments?

Mr. Apicella: I think I've, you know, mentioned my big concerns. I'm probably not going to add anything more to that. I think one other thing I would ask for that I apologize, I didn't, as part of my thought process, it would be very helpful I think in whatever final configuration the applicant comes up with that it gets overlaid on an aerial so that we could see really where it fits into that, that parcel and where that distance of the units are in relationship to the slope and to the residential development.

Mr. Randall: Alright. Mr. McPherson, any questions?

Mr. McPherson: No. I 100% agree with Chairman Apicella. The additional time to get data from staff and answers from the applicant is definitely preferable.

Mr. Randall: Alright, we have a motion to defer and seconded. Everyone, please vote. The voting is unanimous. Mr. Chair?

Mr. Leming: Thank you all for your time.

Mr. Apicella: Thank you, and thank everybody for coming and providing their comments on this matter. Alright, moving on to the next agenda item, Mr. Harvey.

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) (History: September 8, 2021 Public Hearing Continued to October 27, 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

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(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) (History: September 8, 2021 Public Hearing Continued to October 27, 2021)**

Mr. Harvey: Thank you, Mr. Chairman. On the agenda, items 3 and 4 were continued until October 27<sup>th</sup>. So that brings us to item number 5, which is New Business, a proposed Subdivision Ordinance waiver for a project named Colebrook Road. And the staff report will be presented by Eva Campbell.

UNFINISHED BUSINESS

NONE

NEW BUSINESS

5. WAI21154099; Colebrook Road Waiver - A waiver of the Subdivision Ordinance, Stafford County Code, Sec. 22-176 (c) and (f), "Private access easements," to serve one additional lot for a proposed subdivision on Tax Map Parcel No. 59-8, and to allow for Private Access Easements in a major subdivision. The property is located on the south side of Colebrook Road, approximately 2,000 feet west of McCarty Road, within the George Washington Election District. **(Time Limit: November 21, 2021)**

Ms. Campbell: Good evening Mr. Chairman and members of the Commission. I'm Eva Campbell with Planning and Zoning. I'm here to present item 5 on the agenda which is a waiver of the Subdivision Ordinance, Section 22-176 (c) and (f), "Private access easements," to serve two additional lots on a private access easement for a proposed subdivision on Tax Map Parcel Number 59-8, and to serve lots in a major subdivision. The site is located on Assessor's Parcel 59-8 and is approximately 46 acres. It is split-zoned A-1, Agricultural and A-2, Rural Residential, located in the George Washington Election District on the south side of Colebrook Road approximately 2,000 feet west of McCarty Road. The parcel in question is shown here with the red hashing. And on this slide you can see an aerial of the site. The applicant is proposing three separate minor subdivision applications and one cluster construction subdivision application. The layout of the cluster subdivision is based on the three subsequent minor subdivisions submitted concurrently. The exhibits on the next slide reflects the layout of the proposed layout and County Code Section 22-Five(b)(9) of the Subdivision Ordinance specifies that a minor subdivision can have no more than one private access easement. The applicant has filed three separate minor subdivision plats in order to comply with this requirement. Sheet 1 of Attachment 2 shown here shows the two proposed private access easements as currently submitted in the minor subdivision applications prior to waiver approval, which would be by-right private access easements. The applicant notes that the approval of this waiver would consolidate these two private access easements into one, which you'll see on the next slide, reduce the permitted number of driveways from four to three, reduce environmental impacts, reduce overall driveway lengths by half, and not permit the creation of additional lots or building of additional homes. So here is the proposed layout for the waiver. So cluster lot 4, minor number two lot B, minor number two lot A, and minor number one lot 2 would all share one private access easement.

Mr. Randall: I'm sorry, could you identify those please?



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Ms. Campbell: So basically... I haven't used this new one yet, let's see if I have any luck... this easement here. So without naming the lots, it's serving 1, 2, 3, 4, which is an additional two which is... that is currently allowed from our ordinance.

Mr. Randall: Go to the last existing or the proposed. Right. Okay, thank you.

Ms. Campbell: Let me go back here. I said earlier the property has two zoning classifications. Generally, the front half of the property located along Colebrook Road is zoned A-2, Rural Residential, and the back half of the property is zoned A-1. So everything behind here is A-2; up here is A-2, where they're doing the cluster. The A-2 zoning district allows minimum lot sizes of 1 acre for conventional subdivisions and .7 under cluster. And the A-1 zoning district allows minimum lot sizes of 3 acres for conventional and 1.5 acres for cluster. The cluster subdivision is proposed entirely in the A-2 zoned portion of the property and requires 30% of the land area to be set aside as open space, which they have proposed in their application.

Mr. Bain: Can you hash mark the open space?

Ms. Campbell: Yeah, sure.

Mr. Bain: I know where it is, but I know if there's somebody in the audience that wouldn't.

Ms. Campbell: It's basically everything above this zoning line here under the lots. So this graphic shows the sequence of events. It's color coded so in the green you'll see the first subdivision application which had the first by-right private access easement located in it. The blue shows the second one with the second proposed private access easement. And the orange shows the third. And then the hashing represents the cluster which incorporates lots from the minor lot 1 and minor lot 2 which are in blue and green. So Section 22-176, "Private access easements" of the Subdivision Ordinance allows a private access easement to serve two or fewer properties. The applicant is requesting a waiver of the section to allow two additional lots to be served by a private access easement and also to allow for a private access easement in a major subdivision. The applicant formally requests that the Stafford County Planning Commission consider the waiver request from Section 22-176 (c) and (f). Section 22-241 of the Subdivision Ordinance specifies that criteria must be met in order for a waiver to be granted by the Planning Commission. The applicant must prove that the application of the ordinance requirements would impose an unreasonable burden on the owner and the waiver would not have any substantial adverse effect on future residents of the subdivision or adjoining property owners. Staff recommends that the Planning Commission make findings relative to the criteria for the granting of waivers. And that concludes my presentation.

Mr. Apicella: Thank you. Questions for staff?

Mr. McPherson: One question, Eva. This is probably going to be for the applicant as well. I have seen the lack of adverse impacts, but we do need to know what the burden is because they need to give an unreasonable burden information; probably for the applicant.

Ms. Campbell: I will defer to the applicant on that one.

Mr. Apicella: Thank you, Mr. McPherson. Other questions for staff? Eva, you did such a great job, we really appreciate it. You've got to come back more often. Alright, would the applicant like to come forward?

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Mr. Underwood: Good evening members of the Commission, Tyler Underwood for the applicant, Colebrook Road LLC. I'd like to thank you for your time this evening. And for the time of staff in preparing and presenting this request. As, we'll kind of just real quickly run through kind of the high points of this application. A few number of lots, not too much going on here. What we would like to do, though, is as mentioned combine two private access easements. Generally these, and as mentioned, these applications can actually be approved without this, the granting of this waiver. But when we started looking at the development of the site, we realized that for both the development and for the future homeowners that the combining of these two private access easements would be beneficial. Speaking to the specific unreasonable burdens, if we weren't... if this waiver were not to be granted, the cluster lot 2 owner would have significant retaining walls along their driveway and along the rear of their house. This would create a significant burden on the homeowner for long term maintenance. So while we can do it, we don't think that that's what's in the best interest of the community or these future homeowners and residents of Stafford. And so while we can move forward with our development plan without this waiver, we felt that it was worthwhile to take the time and effort to come before this Commission and ask for this waiver to create a better situation for those future homeowners. Additionally, the other benefits of this is we'll be reducing the number of trees that will be cleared significantly, we'll reduce the amount of environmental impact by half, and significantly reduce the maintenance costs for the homeowners. And so we really felt that it was worthwhile to delay our project slightly to come here and ask for this waiver this evening. And I'd be happy to answer any additional questions that the Commission may have.

Mr. Apicella: Mr. Bain?

Mr. Bain: Well, first I would highlight that reducing the environmental impacts to me is quite important because you're eliminating a stream crossing.

Mr. Underwood: Absolutely.

Mr. Bain: And that, to me, is pretty significant. I like that. I was very confused by this application when I read the County's presentation that was sent to us on Friday, but I understand it much better now. And I like the layout that you've proposed. The only issue I still had, and if we could go back to the GDP real quick, clustered lot number 1.

Mr. Underwood: Yes?

Mr. Bain: I understand that's an existing driveway to access it. Has any consideration been given to eliminate the need for that driveway to cross the adjoining cluster lot and go directly to Colebrook Road? I think that... when you have driveways crossing people's property, there's always potential for contention. And I wonder if that driveway could be relocated to directly go to Colebrook Road without crossing the neighbor's lot.

Mr. Underwood: That is actually something that we have explored. Without the granting of this waiver, we would not be able to actually do what VDOT has requested. What they'd actually like us to do is combine the entrance for cluster lot 1 and cluster lot 2 into a single entrance. That would actually be their preference. We would not be able to do that without the granting of this waiver, though. And that's something, if the waiver's granted, we'll look into and work further with VDOT to address.

Mr. Bain: Okay. Good. Good. Alright, thank you. Oh, just one thing I'll mention. I don't know who the engineer was, BFG. Your bar scale on that drawing is, is messed up.

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Mr. Randall: Isn't that, isn't that you?

Mr. Underwood: Actually this was not me.

Mr. Randall: Okay, it's not you, alright.

Mr. Apicella: It was the other guy.

Mr. Bain: Yeah. I, I mentioned, I raised this issue with Mr. Harvey and mentioned that if you use the bar scale as it's shown, in one way your cluster lots 4 through 7 would be 40 feet wide. If you view it another way they're 80 feet wide. So somebody needs to clear up your drawing. Thank you.

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

Mr. Apicella: Thank you, Mr. Bain. Mr. McPherson, did you get your question answered?

Mr. McPherson: Yes. Thank you.

Mr. Apicella: Okay. Any other questions for the applicant? Alright, thank you very much.

Mr. Underwood: Thank you.

Mr. Apicella: So I'm going to open the public hearing on this item. Is there a public hearing? There is not a public hearing. Okay. So, Mr. Bain, this is in your district. How would you like to proceed?

Mr. Bain: Alright, sorry, I'm making some notes. Yes, as I said, when I first looked at this, I was quite confused, but I understand it much better now. And I really don't have a problem with the application as it's presented. So I would like to make a motion to approve the waiver, WAI21154099.

Mr. Apicella: Is there a second?

Several Commissioners: Second.

Mr. Apicella: Wow, that's like five people. I'm going to give it to Ms. Barnes. How about that.

Ms. Barnes: Thank you.

Mr. Apicella: Any further comments, Mr. Bain?

Mr. Bain: No, thank you.

Mr. Apicella: Ms. Barnes?

Ms. Barnes: You had me at saving trees.

Mr. Apicella: Anybody else? Alright, so there's a motion recommending approval of the Colebrook Road waiver. Please cast your vote. Okay, that motion carries unanimously. Thank you, everybody.  
Mr. Harvey, Planning Director's Report.

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PLANNING DIRECTOR'S REPORT

Mr. Harvey: Thank you, Mr. Chairman. Based on the scheduling of the continuation of the public hearing for Southgate, as of now, we do not have any scheduled public hearings for November 10<sup>th</sup>. And staff would seek some guidance as to whether it's advisable to keep that meeting date on our calendar.

Mr. Apicella: Do we have any other business that you expect to happen on the 10<sup>th</sup>?

Mr. Harvey: No, sir. Unless for some reason, the item of Orris Estates gets continued to that date. We wouldn't have any other business for discussion.

Mr. Apicella: What's the outside window on Orris Estates?

Mr. Harvey: It's through your December meeting.

Mr. Apicella: Oh, great! So I know there's going to be a... *inaudible*... not to have a meeting on November 10<sup>th</sup> so that you guys would have an extra couple of weeks before Thanksgiving. But if there's a motion to cancel that meeting, I guess it might not be a bad thing. Is there a motion?

Ms. Barnes/Mr. McPherson: So moved.

Mr. Apicella: Okay, so I'm just going to do a quick voice vote.

Ms. Barnes: You can have that one.

Mr. Apicella: All in favor, say aye.

All Commissioners: Aye.

Mr. Apicella: Opposed? Wow! We're gonna cancel a meeting in November. Awesome. Alright, thank you very much. Anything you want to say about the joint public hearing, Mr. Harvey?

Mr. Harvey: Mr. Chairman, can we get some clarification on who officially made the second on that motion?

Mr. Apicella: I'm going to pick Mr. Cummings. How about that.

Mr. Harvey: Thank you.

Mr. Apicella: Okay.

Mr. Harvey: And as you alluded to just a reminder, the Planning Commission has two joint public hearings with the Board scheduled for the 19<sup>th</sup> next week. It'll be Tuesday at seven o'clock PM. Please report to this, this meeting room or any other meeting room we advise you of. We'll have to see exactly where the logistics of having the meeting conducted. Because of COVID concerns, it may be too tight to have both the Board and the Planning Commission at the dais, so we may have to have the Commission in one location and the Board in another. So stay tuned with that regard.

Mr. Apicella: On that, when do you expect that we'd get our read-aheads for that?

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Mr. Harvey: The Board of Supervisors reports will be posted tomorrow, usually by close of business, so we can provide you with a link to that.

Mr. Apicella: Okay, great. Any questions about the joint public hearing? Alright.

Mr. Harvey: And then also, Mr. Chairman, we're in the process of preparing our department budget, as well as the Planning Commission's budget.

Mr. Apicella: I'd like an extra 50,000, is that okay?

Mr. Harvey: We wanted some insight from the Commission. Now, keep in mind, we're working on the FY23 budget so that would take effect July 1<sup>st</sup> of calendar year '22. But we saw on at least one occasion this year, and we probably had more than one but I can't think of them right now, where the Planning Commission's asked staff to do some additional notification with regards to public hearing items. And sometimes that additional notification can have a significant cost that has to be absorbed by the Planning Commission's budget. So staff would like to see... get some guidance from the Commission on do you think that that practice will likely continue? And would... there had been discussions about pursuing either a code amendment or a policy change with regard to notice? And if so, if you think that might be in the offing, if the Commissioners can chime in and let me know so then we can take some of that as background information for our budget request.

Mr. Apicella: My sense is that my fellow Commissioners would like to do more, not less notice, especially on fairly controversial matters and to broaden the web of persons or communities that would be notified amongst some misreading what we've done in the past. And I would hope and expect that the Board would, because at the end of the day, it's their constituents who would want us to do the same just so there's no hiccups at the last minute and folks not know what's going on within their own communities. That's my sense. Anybody else have any thoughts about?

Ms. Barnes: I think what we have right now is actually woefully inadequate. I mean, if you have a 20-foot gap that's owned by an HOA, then like with Orris Estates, you have all those people that aren't... that are informed. And I mean, honestly, how much more has it cost us? Do we have a figure? I mean, do we have...

Mr. Harvey: It depends on what level of notification we want to send out. If it's 500 feet or a certain other parameter, and also the density of the population surrounding the property. It could have a significant difference on what the costs are.

Mr. Randall: So what's our... what's current... so the people that are still listening, what's the current guidance?

Mr. Harvey: State code and our local ordinance requires that the abutting property owners and the owners across a public road be notified.

Mr. Randall: Okay. So the question is, do we, do we expand that? Or do we put something that says anybody within 500 feet? Because when you say the abutting property, then I get the Orris Estates that says I've got a 20-foot right-of-way. They're not abutting. I mean, they're 50 feet away, but there's a 20-inch, there's a 20-foot gap that's not abutting them. So technically, they wouldn't fall into that. Do we just simply say everybody within 500 feet, so that we catch everybody? And then the question, I guess what goes to Ms. Barnes, you know, how much money, how much extra money has it cost us? Does it

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go from 5,000 to 20,000? Those types of things because that... as much as I'd like to notify everybody in the County, that is somewhat unrealistic. And so I think there's... we've got to find a middle ground. And maybe if we just tweak the language so that the Orris Estates thing doesn't fall through the cracks, that may answer the question of making sure that the people who are around that neighborhood are all going to be notified. Thank you.

Mr. Harvey: Commissioner Randall, in general terms, we tend with the rezonings and CUPs to send out notice by certified mail. The price of certified mail has gone up to, if I remember right, \$5.50 or \$5.75 per letter, and it has to be done twice if you're doing Board and Planning Commission. But I know we've had some general discussion about this and probably need to continue that discussion, but right now it'd probably better to amend the code rather than to create a policy in case there was some challenge. And I'm familiar with other jurisdictions that have a higher standard than we do, because we follow the minimum that's established by the state.

Ms. Barnes: Could you possibly give us sometime some examples of those standards that might be applicable to us?

Mr. Harvey: Staff can come back and give you some more research on that. I'll be glad to; I just wanted to get a general sense. And it sounds like it's a consensus of the Commission that you're interested in having more notice provided for public hearings.

Ms. Barnes: Absolutely.

Mr. Harvey: And/or community meetings.

Mr. Apicella: Anybody disagree with that?

Mr. Bain: But I don't think we want to get to the point, I'm recalling the Leeland Station issue when that 7-Eleven wanted to rebuild and expand, and the idea was to notify every person that lived in Leeland Station. The Leeland Station subdivision actually was more than, I'm going to say, at least... close to a half mile away before you actually got to the subdivision. And I don't think it was appropriate to be required to notify every home in Leeland Station. So I think maybe the 500-foot limit that Mr. Randall mentioned would be much more appropriate. But again, like you say, it can certainly depend on density then.

Mr. Apicella: Yeah, I mean, I don't know what the right answer is in terms of distance. But maybe one consideration is, I'll call tiers. Like, you know, maybe the current tier is everybody get, who's within whatever the parameters are, they get a certified letter, and anybody who's at the next tier gets just a regular letter. Right? And if they don't see it, they don't see it; that's on them. I don't know if that's possible. But maybe that's one way to reduce the cost \$5 plus a person. The fact that the mail is much slower now than it was before. This is something I'm sure the Planning Commission is going to want to take a closer look at. But I think the more urgent question is funding. Right. So is that what I heard? So I would say that, yes, probably moving forward some additional funds to make sure that we're, you know, being as transparent as possible and letting as many people as possible within certain parameters are notified about important matters, or that they need to be advised of. So that's... Anything else that Mr. McPherson?

Mr. McPherson: Yes. I think that there's more to it than just a distance of 500 feet. As an example, say that there is a neighborhood that has one street as an entrance and there are some work being done at the

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entrance of that neighborhood. If there's somebody who lives a quarter mile away, I think that the roadway would be a criteria versus just the distance from the work being done. Because I could add, turn and traffic...

Ms. Barnes: You're reading my mind on that one. And that's another one with the Orris Estates, all that construction traffic is going to come in one specific route. ..

Mr. McPherson: Yes.

Ms. Barnes: ... and that's going to be very impactful on those folks, even though they might be far away. And I'm just using that, because that's what we've had recently. But, you know, you could, you could even, you know, create a line of impact where construction, you know, traffic might be going. I think that's a real important thing, too.

Mr. McPherson: And not just construction, but traffic based on whatever is going to be the final thing. So it's more than just distance, it's traffic impact and construction.

Mr. English: Plus, you have the houses across the lake, too, that could have, could have been impacted on that, too. So that's more than 500 feet.

Mr. Apicella: Yeah, again, I think there's so many variants and variables that it's kind of hard to pin down, you know, an exact criteria, but that's what I think the next Planning Commission is probably going to have to take a harder look at and see what's going to work best for them. So...

Ms. Barnes: So what was the problem initially with us being able to take the, you know, the process that we have now, and then on an individual basis, case by case, we can decide, hey, we'd like a little bit more notification, and another one we might not want notification.

Mr. Apicella: I think it was the cost because it's the same certified letter that goes out. And so you're exponentially increasing that cost.

Mr. Randall: Normally doesn't come to us until the notification's already been sent out. So we would have to see it first, identify how much we wanted to send out to people before it even got to us. Normally, when it gets to us, that's all done behind the scenes and that's all been done by staff. And so we normally don't have an input into how much they've done that until it comes to us.

Ms. Barnes: Unless we defer it and have them send it out again and then...

Mr. Randall: Right. And again, if we have, you know, 30 public hearings, and it's \$10,000 a shot, that's \$300,000, you know, for the year just for notifications. That's a significant amount of money.

Mr. Harvey: So Mr. Chairman, I appreciate the feedback. So I'm gathering the consensus of the Commission is it's okay for staff to put in a budget adjustment for next fiscal year to have more funds towards public notification.

Mr. Apicella: Please.

Mr. Harvey: One of the difficult parts is that we never know how many abutting owners we're going to get for each individual application and how to expand it. So staff will work with counsel on and give

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some research on what other jurisdictions are doing. It probably will be the next calendar year before we have something concrete for you. But again, we'll work with counsel on making some potential options or recommendations for the Commission. And that would entail an amendment to our Zoning Ordinance, so that would also require a public hearing with the Commission and the Board for the final outcome there. But this is very helpful. Thank you.

Mr. Apicella: Thank you, Mr. Harvey. Is that it?

Mr. Harvey: That concludes my report.

**COUNTY ATTORNEY'S REPORT**

Mr. Apicella: Ms. Lucian, County Attorney's Report.

Ms. Lucian: I have no report.

Mr. Apicella: Mr. English, you had something you wanted to...?

Mr. English: Yes, sir. In reference to the Comp Plan, we had put in for the Cannon Ridge/Falls Run area for the park area. I need to make it that we pull that out for right now because I think some other issues have come up with that.

Mr. Apicella: Can we do that? I mean, that's already been advertised, right?

Ms. Lucian: It's already been advertised, but you can discuss that with the Board.

Mr. English: Okay.

Ms. Lucian: The joint hearing; maybe talk to your Supervisor.

Mr. Apicella: So, so just a hypothetical, not to get too much into the details, if that were the path that some folks wanted to go based on the advertisement, is that feasible to take it out?

Ms. Lucian: Yes.

Mr. Apicella: Okay. Just so everybody's... *inaudible, being talked over.*

Mr. English: So we'll just wait to the 19<sup>th</sup> to do it?

Mr. Apicella: Right. But I'd be very specific about what you're going to recommend.

Mr. Randall: Inaudible... beforehand as to what exactly we want to do, because it's 500 pages we're going to be going through in one night. So we want to know specifically... *inaudible, microphone not on and being talked over.*

Mr. English: Okay, I'll get with Mike then. Okay, I'll get with Mike; okay.

Ms. Barnes: Yeah. And I know that there's a significant portion of the public that is very excited about that land being included. So we might have to take that into consideration.



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

COMMITTEE REPORTS

CHAIRMAN'S REPORT

Mr. Apicella: Okay. I don't have anything under Chairman's Report. So, Other Business – looks like it's almost all the Hartwood show, Mr. English, for TRC. And the only other item on the agenda is the approval of the September 8, 2021 minutes. Is there a motion to do those minutes?

OTHER BUSINESS

6. New TRC Submissions
  - \* Rocky Run Village Sec 1 – Hartwood Election District
  - \* Burns Corner Wendy's – Hartwood Election District
  - \* Project Clover – Hartwood Election District
  - \* Project Ivy – Hartwood Election District
  - \* CIP#2 – Hartwood Election District
  - \* Starbucks - Burns Corner – Hartwood Election District
  - \* Sigmacorps Test & Integration Facility – Aquia Election District

APPROVAL OF MINUTES

7. September 8, 2021

Mr. Bain: So moved.

Mr. Apicella: Second? Anybody?

Mr. Randall: I can.

Mr. Apicella: Okay, motion seconded. Do a voice vote; all in favor say aye.

All Commissioners: Aye.

Mr. Apicella: Opposed? Motion carries. No further business before the Commission, we are hereby adjourned.

ADJOURNMENT

With no further business to discuss, the meeting was adjourned at 8:46 PM.