

STAFFORD COUNTY PLANNING COMMISSION
December 8, 2021

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

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, Vicki Sowers, Mike Zuraf

DECLARATIONS OF DISQUALIFICATION

Mr. Apicella: Are there any declarations of disqualification on any agenda item? Alright, seeing none, I'm going to move on to the Public Presentations portion of today's meeting. The public may have up to three minutes to comment on any matter except the two public hearing items; the Southgate CUP and rezoning. If you'd like to speak, you have up to three minutes. Your time starts when the green light appears. Yellow means there's one minute left. Red means your time is up. So, if you're here to speak on any matter, other than the Southgate CUP and rezoning and would like to address the Planning Commission, please do so now. Alright, right, seeing no one, I'm gonna close the public presentations portion of the meeting. I believe we have a presentation by Mr. Counsell, Mr. Harvey?

PUBLIC PRESENTATIONS

County Transportation Construction Project Quarterly Update by Bryon Counsell, Director of Capital Construction

Mr. Harvey: Yes, that is correct, Mr. Chairman, thank you. Please recognize Bryon Counsell, the Deputy Public... excuse me, Deputy Director of Public Works Capital Construction.

Mr. Apicella: Mr. Counsell, welcome. Thank you.

Mr. Counsell: Well, thanks for having me, Mr. Chairman, members of the Commission. We have changed our department a little bit. Public Works has split up into three groups. And there are three new groups, one's Development Services, which run a lot of the permits, building permits, and some of the other environmental permits. Then there's utilities, which is the Operations Division of Water and Sewer. And then there is Capital Projects. So there are three new departments since the last time we... since I've been before you. Just as a little update on County structuring. What we did today was prepared the report that we gave to the Board back at the end of the first quarter of FY22. And I'll abbreviate that a little bit tonight and just focus on the major roadway and water and sewer projects, if that's okay. There's some service district projects on here and stuff that the Board, the Board keeps track of, but I'd be happy to go into those if you have, you know, a pertinent interest in that or just a general interest at all. And then you're free to ask me any questions about anything else that Capital Projects has going on throughout the County that may not be mentioned in this report that you may be aware of. So with that, I'll go ahead and go in and start. The Berea Church Road safety improvements. This is out off of 17. This is going to be a general widening of the road and some geometry, horizontal and vertical geometry corrections. We're hoping to advertise for construction in February. Right outside the doors here at the US 1, Route 1/Courthouse Road intersection. That project is... the design's been done for a while. We've almost ready to start utility relocation. The demolition that you may have noticed out there of

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those several buildings along Courthouse Road and Route 1 got... removed some of the some of the hurdles to get the utility relocation going. So we're hoping that's going to start during the month of December. If that starts during this month, they're supposed to take about three months to complete the utility relocation. So we're hoping to advertise for construction in earliest spring of '22 as we can. A little bit further north on Route 1, the intersection of Telegraph and Woodstock. That design is pretty much done. As of the writing of this report, it was 90 but we've since, we've since sent our 90% comments back. So we should be getting 100% plans here pretty soon. We still need a couple of properties up there we're working on with the County Attorney's office and the property owners to try to work an acquisition deal with those. As soon as those are complete, we'll start utility relocation up there. We're hoping to start to do the construction bidding in the spring; we're a little... we're optimistic that that will still happen. Flatford Road Sidewalk Project. Since this report was written, we've learned from the Feds that the project is still in review. We need approval to advertise from them. They're running a little bit behind. We anticipated that in November. We didn't get it. So we're expecting that any day, an approval to bid the project. It's a small sidewalk project up on Flatford Road. Belmont Ferry Farm Trail Phase 6. This would connect the Chatham Bridge to Belmont... I mean, to Ferry Farm. The Board elected earlier this year to put that project on an indefinite hold. And we'll await their further direction to see what they want to, when and if they resurrect that project. There's an emergency access road that's being pursued in the Aquia District out off of Brook Road, the part that runs parallel to Accokeek Creek between two neighborhoods that will allow emergency access for residents to pass through there, through the S curve or around the S curve when it does flood. That project is moving forward. Design is complete. We're in right-of-way acquisition, getting ready to start right-of-way acquisition. If that moves forward fairly quickly, we'll be doing construction in the spring and summer of next year to build that access road. This is a sight distance project on Lynhaven Lane where Lynhaven Lane hits Courthouse Road. That's... I'll just go ahead and talk about that. That's moving forward. We're just putting up a couple of small walls to provide or to cut some grade back and provide better sight distance for that private road coming onto Courthouse Road. And there's also a project to pave that road and bring it into the state system. That's going to be performed with our... the joint project between Stafford County and VDOT as part of the Secondary Six Year Program, we call it the SSYP. And that's going to happen in '24... 2024-2025. Onto some water and sewer projects. The Claiborne Run Parallel Force Main. This is the second phase of that parallel. These water and sewer projects are selected for the Board because they also support a lot of the growth or... yeah, support a lot of the growth that's happening in the County. So it's... so I know this is some of the projects you guys are interested in as well. So the parallel force main along Route 3 from Cool Springs to Walmart is the second phase and that is adding additional capacity for all of the sewer collected all the way from out as far as past Walmart on 17 all the way up to the Little Falls Run Treatment Plant on Route 3. So that... this pipe will aid in the capacity of handling all the sewer flows in South Stafford. That is supposed to be advertised hopefully within probably either sent over to procurement this week or next week. Falls Run Force Main is another project in that line of sewer collection. It's going to carry flows from the Falls Run Pump Station, which is in Falmouth Bottom, out to the Little Falls Run Wastewater Treatment Plant. That has been tied up for a while now with the National Park Service. We are anticipating approval through a permit to go along River Road, which is technically on National Park Service property. We're hoping to get that approval before the end of the year which would allow us to finish design. That will still take a little while. We're hoping to finish design next spring and take it through several reviews through the County and through VDOT and hopefully advertise for construction next fall. Another one in the line of supporting the west side of 95 sewer, the Falls Run Gravity Interceptor Phase 2. This runs from Berea Church Road up to 95, including a bore underneath 95. All the beautiful new lanes they're building and everything, it's got about a thousand foot bore under there. Design is complete. Property acquisition is about 25%; we still need about 30 properties to complete that exercise. We're still hoping for a spring of '22 construction advertisement. Lower Accokeek, which is right down the road just south of the

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Abberly apartment complex. That project is designed to support all of the Downtown Stafford future development, as well as all of general development in the Courthouse Area. That project is complete. I left it on here just to let you guys know that with all the recent happenings and decisions on Downtown Stafford, as well as a lot of the work you see going on in the Courthouse Area, that project is well situated to make sure all of that development is well supported for wastewater collection. And it's, uh, it's been started up and tested and only a portion of it is in use right now because there's not a whole lot of flow on it right now. But that's, that has been put into service. We've got some major upgrades at the Little Falls Run Wastewater Treatment Plant. Most of them are regulatory upgrades, not really capacity. But things that have changed in the regulatory world as far as where our... what we call our numbers need to be for various chemicals and biological contaminants. This is anticipated right now at about 26 million. We're hearing words now it may go as high as 29 now, so we're working through all of that. But 90% plans have just recently approved by our office and we're working towards the final set of 100% plans. We still anticipate this to be advertised in the spring of 2022. Several of these wastewater projects, as well as this plant, are a huge, huge effort that wasn't planned for another 5 to 10 years. But with a lot of the, a lot of the growth and everything, these have been sped up and are... should be good for buildout, including Westlake that's further out on 17. That is part of the Urban Service Area. But this, all of that wastewater connection, the main lines serving pretty much all of South Stafford is going to be at buildout capacity in the next two to three years. Barring some changes to the Urban Service Area, will be set in South Stafford for sewer collection.

Mr. English: Why such a, from 26 to 29 million, why was it such a... is it because of inflation?

Mr. Counsell: Mr. English, it's a lot of different reasons. It's labor, it's material, it's supply chains...

Mr. English: Is that what it is, supply chain?

Mr. Counsell: It's inflation. It's no one particular thing.

Mr. English: Do they see that if the supply chain drops a little bit, do you see that maybe just dropping a little bit instead of going to 26? I mean, do you think that will happen? Or is that probably not an insight?

Mr. Counsell: The largest component of this project is equipment. And a lot of equipment is now, we went from some of the equipment being almost on the shelf ready to purchase to near the shelf to steel has gone up, people have stopped making certain things. So now they're long, long lead, we're expecting that some of the equipment we expect on here to probably be unavailable before we go to bid. So when we go to bid, we'll make the decision to go to bid, we've got to go through and recheck every piece of equipment, the availability of it, how long it's going to take, because we could, we could spec a, you know, 365 or a 400 day construction period where the materials just won't be available within that span of time. Not just to get going but just in that whole span of time. So we do a new cost estimate each month. That's where we are. On every single one of these projects we're talking about tonight, we do a project... we do an estimate every month.

Mr. English: They've gone up?

Mr. Counsell: Every one of them are going up consistently and then we're seeing, we're seeing the numbers real time too.

Mr. English: Is it because... they've gone up, is it because of the supply chain issue? Or is it just...?

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Mr. Counsell: There's at least 10 different theoretical reasons.

Mr. English: I guess my question is, is that the norm? Is that normally how it's been like that? Or is it just been within the last year because of that?

Mr. Counsell: We always see a small increase. Even if COVID and the current economic challenges weren't there, we'd see a 3 to 5% increase each year. But for this year for reasons you're talking about, as well as other ones, we were having a hard time pinning numbers down. But they're real. VDOT's getting them, other counties are getting them, and we're getting them, too.

Mr. English: I believe you.

Mr. Counsell: It's... sometimes we can't, we think there's no way it's going to get up to this number. This is just a bad estimate and then the bids come in and they exceed the estimate.

Mr. English: Right. Okay, thank you.

Mr. Counsell: Can't explain it. Yes sir. Some water projects, this 342 Pressure Zone Upgrades, this one is what we call 342-06. This is a waterline from the intersection of Truslow and 95, up to a proposed new water tank on Enon Road. This is to carry water from the new Lake Mooney Water Treatment Plant. I know to you guys that you've been hearing about Lake Mooney for a while. We put it in service in 2015, but we still call it the new water plant. But this is to get water ultimately up to the northern part of the County, for redundancy, but also it's going to serve the Centreport area. So these projects, the next two or three projects are on here to give you guys an idea of how the Centreport area is going to be supported with water. It's already supported by sewer; we finished those projects two or three years ago. But for water, we've still got two waterline jobs and a big, a big tank to put up there to support Centreport. So this is the next one in line. This one is I think it's we're almost finished with design and we're in right-of-way acquisition. We're hoping to advertise this one in the spring as well. Then this one is the 342-15. This will convey water from the new tank site up to Centreport Road and connect with that 18-inch line along Centreport Road. We've just started the preliminary engineering report for that; that'll determine what the alignment is. We've got about eight different routes that the engineer is looking at. This is the tank.

Mr. Bain: Bryon, excuse me...

Mr. Counsell: Yes sir.

Mr. Bain: Just thinking about this, we just recently approved a major revision to the land use category in that Centreport area from residential to warehousing. Is that going to have a significant effect in reducing demand for water supply in that area? Because I can envision that continuing. A lot of the area that was zoned residential is going to change over to warehousing or manufacturing and so the demands could go down significantly.

Mr. Counsell: Mr. Bain, I'm not sure what the answer to that is. We... when we did our master plan back in 2018 we looked at all the existing zoning and the existing estimated demands for those zoning uses and we created a master plan. And if things have changed since then, we'll have to look at that to see what if any effect it'll have on either our existing master plan or if we need to enhance our master plan to support whatever, whatever changes could, could come. Jeff may have a better answer for you on that, I don't know, but.

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Mr. Bain: I don't remember the numbers, but the Project Ivy that we just ramrodded through, I think that was over 300 residential units. And now you've got a warehouse that is going to have a bathroom for you know, 20 people at the most. So the demand is going to drop significantly, I would think. So just something to think about, I don't know. If it continues, you might be putting up a water tank that will never need to be used.

Mr. Counsell: Well, the water tank and these two other large water transmission lines, they're 24-inch lines, they're big, they serve dual purpose.

Mr. Bain: Oh, I understand.

Mr. Counsell: One of them is, the significant one is the Centreport area. But since we went from three water treatment plants to two water treatment plants, and Smith Lake water treatment plant is running near capacity. It's difficult to take that offline and do regular maintenance without another water source. So these 24-inch lines in the tank will also go a great deal... do a great deal to support that tank or that water treatment plant to be taken offline and regular and routine maintenance be done on that. But more specifically, the Centreport, the tank there is going to be able to fluctuate in how much water we store there. So at first we'll just use a little bit of it. But at maximum capacity of that tank, depending on what happens at Centreport we'll be prepared but we won't necessarily have to use it all because there's no way to tell ultimately what's going to be there and what... how much is going to be there or what is going to be there. And our master plan had to make a lot of assumptions and that's just, that's where we are.

Mr. Bain: Sure, sure.

Mr. Counsell: So if a large residential area has been supplanted by some commercial or warehouse, that's going to help capacity for sure.

Mr. Bain: Okay, thank you.

Mr. Harvey: And Commissioner Bain, along those lines, once the Comprehensive Plan is updated like it was last month, then the Utilities folks will work with their consultant to redo the Sewer and Water Master Plan to reflect the changes in land use anticipate in the Comp Plan, plus anything that's been built on the ground since the last update of the Utilities Master Plan.

Mr. Counsell: That's absolutely correct. The tank is a 2 million gallon tank proposed right now at the, uh, you can see on the photo there on the display that the... there's an existing ground-mounted concrete tank there. So it's going to go just in front of that. And it's been bid and the Board approved the contract at the last meeting, so that's getting ready to get started for construction. These are... the next two projects are two Service District projects. I know some Board members are keenly interested in this and that's why it's a part of these reports. But both of the Lake Carroll and Lake Arrowhead Service District projects are dam spillway improvements required by the state. They both have been estimated at under a million dollars each, but estimates as well as bids have come in well over that. So staff, as well as the service district folks, are trying to figure out what to do there or if to do anything at all. But that's... these products are victims of a lot of the cost increases we've seen over the last year, year and a half, and they continue to rise. So we don't yet have a solution for what's going to happen with those particular projects. I think this is the last, yeah, the last one is some very modest modifications and enhancements to the Courthouse Area. I know this doesn't really fit into a lot of what you guys normally do. But since it's here we'll talk about it. About two and a half million to 275 million of improvements to try to get the courts with a little bit additional space. We're moving some storage out of there and moving it into

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the old Chichester House there, the brick house which should give the courts a little more room to operate as a court in there as well as I think they're gonna put a temporary courtroom in Chichester House on the second floor to give some court space relief as well. And that's... we just started design on that, so it's going to be a while. So I'll be happy to answer any other questions you guys might have about any other project.

Mr. Apicella: Thank you, sir. Any further questions? Mr. Bain?

Mr. Bain: I have something. The Lynhaven Road project. You mentioned you're looking into possibly paving the gravel road. I've had two people come to me and inquire about paving the gravel portion of New Hope Church Road. And the way they presented it was there were enough homes that they could collect enough money from the homeowners to get it paved if the County would do the design. In Lynhaven, are the homeowners providing any funding for that or is it all County funding or state?

Mr. Counsell: Most of the Lynhaven road is funded by the County and VDOT. It's being brought into the public road system through what's called the Rural Road Addition Project, or Program. And that's a program that VDOT has all over the state where they take roads that they... VDOT puts money on it and they identify roads that are needed in more urban areas than rural areas, more of the urban areas. And we're taking advantage of that program. The residents of the Lynhaven Lane Service District are paying for all the upfront engineering and land surveying and plat work that needs to happen to dedicate right-of-way, but the actual construction will be paid for by VDOT through the SSYP.

Mr. Bain: Okay. So I can, I can tell these homeowners roughly the same thing that they would have to pay for engineering right-of-way and that type of thing?

Mr. Counsell: Well, not necessarily. So we have, in the same program, the SSYP, the County and VDOT get together and we use an allotted amount of money that VDOT awards us through their technology program which means all the rent that Virginia Power pays on any of the VDOT-owned land goes into a big fund and it gets distributed among a certain amount of localities. Stafford is one of them. We call it the SSYP. It's about \$450,000 per year. We put on a variety of Board prioritized projects. So we have a priority list of unpaved roads in the County. New Hope Church is on that list. I don't know where its priority is right now off top my head but if it's not on the SSYP to be paved, it very well could be in the near future. But that's how the unpaved roads typically get paved in Stafford County. That's through the SSYP Program. So if that road ends up getting high enough on the priority list and getting paved, the residents would not have to contribute anything to that. So what I'll do is I'll go back, I'll look at the list, see if how much of New Hope Road is on that list and how much of it may not be. And I'll get some information back to you on where that road stands on the SSYP.

Mr. Bain: I'm not pushing for it.

Mr. Counsell: Okay. Well, the residents live out there, they've... *inaudible, several people talking at once.*

Mr. Bain: The homes that are back there...

Mr. Apicella: Yeah, I was gonna say, I know some people who live out there and would like to have that done sooner rather than later.

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Mr. Bain: Yeah, but I... the homes that are there, it was a farm, it was broken up into large properties, and I really don't think it justifies a paved road. You could probably count on your hands and toes the number of vehicles on the road, except during hunting season, how many come in and out. And I really don't think it's financially feasible. But, you know, I was just curious as to how it, how it would work out if it was to be considered.

Mr. Counsell: And there's criteria it has to meet, just like what you're talking about; average daily traffic, the geometry of the road, can it be paved without causing other problems. So if it's worked its way through the priority list, we've checked on all that, if it's on the list it meets all the conditions, but I know we've been talking about that road for a long time as well as a few others in the County and I just don't know off the top my head know where it is on the list right now. But I'll I will let you know where it is.

Mr. Bain: Don't push on it.

Mr. Counsell: Okay, okay.

Mr. Apicella: I'm gonna have to disagree with my colleague. Like I said, I know some folks who live out there who'd like to see that done. Sorry, Mr. Bain.

Mr. Bain: That's all right.

Mr. Apicella: Any other questions for Mr. Counsell?

Mr. English: I have one. Winding Creek, when is that gonna open up? Winding Creek, because it's been closed?

Mr. Counsell: We don't... my office doesn't have anything to do with that. That's a developer driven project. I know they worked with VDOT to iron out some significant differences they had on responsibility for doing some of the work. I do know that's been resolved. And the developer was, at least at the last VDOT meeting we had, moving towards getting that finished.

Mr. English: Because it was supposed to open in August.

Mr. Counsell: I believe you're correct. But we don't, we don't have anything. We don't keep up with that and we don't follow...

Mr. English: But it's a main road in the County. *Inaudible.*

Mr. Counsell: The developer's working through VDOT through permit to build that, and we don't... I can, I can get some information for you to try to see where they are on it. But it's not a... well, it is a transportation project... but it's not a County sponsored and constructed project.

Mr. English: Okay, thank you.

Mr. Counsell: I hate to say things like that. But it's all up to VDOT and the developer.

Ms. Barnes: And actually, I think that when we approved that GDP for that second 50 houses, they had said that they were going to be finished by Christmas of last year. It's probably actually in the minutes. So it's pretty behind. It's not just... it's about a year behind.

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Mr. Counsell: Well, that is absolutely for sure. And I do know that they, the developer and VDOT had some significant disagreements on what the developer was supposed to do, what was clear on the plans or what was not clear on the plans. And they took them a while to work through those differences, much to the dismay of the surrounding public. But I do know that's been resolved, but I don't know how much work remains to be done.

Mr. Apicella: So is that a lesson learned for us that we need more clarity in the process and in the language going forward so there isn't that kind of a disagreement?

Mr. Counsell: I think both parties learned something from this one, because typically, the way you merge new roads in with old roads is that the existing road is usually been in pretty good condition. When they removed the surface course of asphalt for Winding Creek Road, they found a lot of deterioration under there. The developer, I believe, said that they didn't... they shouldn't be responsible for that. And I think VDOT took the counter-opinion on that; I think just took them a while to figure out how to move forward. But we've joined many roads in the County for our projects with existing roads and we've just never encountered that kind of situation. So I think...

Mr. English: It was bad.

Mr. Counsell: It was bad, yes.

Mr. English: *Inaudible, microphone not on...* being that far behind... being that far behind when it should have been opened in like August and yeah, that's crazy.

Ms. Barnes: And I can't tell, I mean, from just being able to walk as close as I can to it, that line of sight isn't any better at all. I can't see a difference.

Mr. English: I was gonna go down it today, but I didn't. I should have, but I will tomorrow.

Ms. Barnes: We should take a walk down there.

Mr. English: I will tomorrow.

Ms. Barnes: Because the whole point that that thing was... well, we're preaching to the choir, you know what I'm saying?

Mr. Apicella: So, before I pass it back over to you, Mr. Randall, I know you've got a question, again, is that something that your department can work with the Planning department on so that if we need to add something to the proffers, some kind of clarification when this kind of a situation arises, that we're not going to have that stalling point where there's differences of opinion that... *inaudible*... in some kind of jeopardy where things aren't moving along like they should.

Mr. Counsell: I think since transportation falls in the Capital Projects Group, we will certainly do, we will certainly take everything we've learned from it and try to make sure that any condition or standard that's put on roadway connections from development to public roads is improved. And VDOT is working on doing the same thing. They're working on some new details and new language in their land use permit to make sure that this is addressed, or it's... that the responsibility for making these improvements is squarely on one party or the other.

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Mr. Apicella: Thank you. Mr. Randall?

Mr. Randall: Yeah. It's not really a question per se, as it is a comment about Winding Creek. I've gone back and looked at the GDP drawings. And unless you're an engineer, it can be very confusing as to what exactly is required. So to the point that was made by the Chairman, I think the lesson learned is that everything that we expect to be done should be written in a way everybody can understand it. And if that means that we need to take a diagram, and it needs to be phrased in a proffer in such a way that my 15 year old can understand it, then that's what we need to do. You know, when it says reconstruction, we need to define what reconstruction really means, because that's the term that's being used in the proffer, its reconstruction. And we need to make sure moving forward from this dais, from this Commission, what those kind of terms mean, so that when we leave here with an understanding of an approval or a disapproval recommendation, we know what a, we know what a reconstruction means. We know what the line of sight is going to be. I want to lower this by 10 feet, I want to raise this by 5 feet. Great. Because if you look at the diagram, it's really hard to see, you know. I'm going to clear, I'm going to clear the S curve. Alright, what does that mean to me? Does that mean you're going to get rid of the rock? Does that mean you're going to move the road out 25 feet? Does that mean you're just going to make it look pretty? And so I think moving forward that we need to, especially for things like this, we need to make sure that it's clearly defined as to what we're doing, not just in a picture. With GDP, the picture, that's great. What does that mean to me? And so this isn't to you. It's not ... it's to the point of we have to make sure that the lesson learned from this is everybody should understand exactly what's going to be done and there shouldn't be any confusion as to where we're going to go forward with this. And what the developer needs to do, what we're going to approve, you know, he's gonna walk away a year from now with his houses built and that road's gonna be required to be kept up by VDOT and by the County, and the County has to live with it for the next 50 years. This was our chance to get it right and honestly, I'm not sure we did.

Mr. Apicella: It's not just the specific set of circumstances you talked about, Mr. Randall. But sometimes we get a monetary proffer for a fix. And we really need to know what that fix is to understand whether or not the amount being proffered is realistic or viable, so that the taxpayers aren't on the hook to make up the difference. I don't know how we get there. But it's kind of back to the same point that Mr. Randall made that we need to have a better sense of what needs to be done for specific fix, what that cost is, or who's going to bear the burden of making that fix with the bottom line notion that the taxpayers shouldn't be footing the bill as much as possible. Just my point of view, but. Any other comments, questions? Sir, thank you very much. Merry Christmas and Happy Holidays to you.

Mr. Counsell: Same, thank you.

Mr. Apicella: Mr. Harvey, first two items on the agenda for public hearing; the Southgate Commercial Proffer Amendment and Conditional Use Permit.

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) (History: October 13, 2021 Public Hearing Continued to December 8, 2021)**

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) (History: October 13, 2021 Public Hearing Continued to December 8, 2021)**

Mr. Harvey: Yes, Mr. Chairman. This is a continuation of the public hearing and Mike Zuraf will give the update of the cases since the public hearing.

Mr. Zuraf: Good evening Mr. Chairman, members of the Commission. Mike Zuraf with the Planning and Zoning Department. So yeah, as Jeff mentioned, I'm going to provide an update on items 1 and 2 related to Southgate Commercial. So this is their two requests; first, to amend proffered conditions on property that's zoned B-2, Urban Commercial, to develop a mini-storage warehouse. And then also 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 on a site that's 8.16 acres in size. Ivan Cowger is the applicant, with Clark Leming as the agent. This is in the Falmouth Election District. And this is a continued public hearing. The original public hearing was held on October 13th; it was kept open until this meeting today. Since that original public hearing, the applicant, Planning Commission representative, and staff attended a Southgate Homeowners Association meeting on November 16th to continue discussion with the community and hear their concerns. Additional modifications were made to the application in response to that meeting. I'll provide a brief overview of the proposal and review the changes that have been made since the last meeting. So, here's the location to refresh your memory. The parcel is identified in blue. It's located on the northwest corner of Cambridge Street, which is US Route 1 and Southgate Avenue. Here's the current zoning map. The zoning of the site in light red represents B-2 zoning. Adjacent to this you have R-1 zoning in yellow; that is Suburban Residential, that's where the Southgate neighborhood is located. You also have in light green, A-1 zoning which includes the Walt Lou Mobile Home Park and the Drew Middle School site. And then there's other various zoning districts across Route 1 from the site. Here's the aerial view. It shows the existing conditions of the site. The site is currently undeveloped. A mix of some trees still cover the site and then some areas are grasses and other trees as well. This is a version of the GDP, General Development Plan, that was reviewed at the original public hearing. This plan has since been modified. This is the revised Generalized Development Plan. It shows the layout of the mini-storage warehouse, which consists of several one-story rental storage unit buildings. It totals approximately 95,000 square feet in size, and one 2-story 2,800 square-foot building that has a first floor office and a second floor dwelling for a watchman. The design will locate buildings around the perimeter of the facility with access oriented internal to the complex. The design serves to buffer the facility from the adjacent residential uses and intends to preserve the existing grassed slopes and enhance screening with additional trees. Access to the site will be via a full service entrance off of Cambridge Street, with the existing northbound left turn lane extended to serve this access point. The entrance would include an inter-parcel connection to the mobile home park. The mini-storage office is adjacent to the site entrance and beyond the office are secured gates that will limit access into the storage unit area. The site includes storage units on a second smaller parcel at the end of Cool Brook Lane. That's an area on the right-hand side of the screen. And a gated emergency access is proposed in this area. No customer access from the neighborhood streets is

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available in this location. There are modified elements of the GDP that include the access gate area around the entrance, relocated emergency access locations, and modified landscaping. So I'll go over these changes in the next few slides. So this zooms in on the entrance area, and they've provided a new access area. These modifications were specifically discussed during the first public hearing and we marked it out on the screen and everything, and this involves reducing the size of the storage warehouse buildings. Previously, if you recall – I'm going to try to mark this up – this building right here extended all the way down to this location. And so there was a long accessway with a gate all the way up here and then there was a gate here. So they removed this portion of the building, added drop-off parking right up near the front, and relocated the access gate to this location and kept this access gate. So it provides a much better kind of flow through the area. With that change, staff is recommending removal of condition 14, which required specific directional ingress and egress that was all based on the old layout. Staff doesn't feel that condition is needed anymore with this revised layout. You did receive tonight, before I forget, a modified version of those conditions. And then also an updated proffer statement with redline version that shows and highlights some of the latest changes. So there's the backend of the site where the emergency access location is proposed. And the emergency access was relocated to follow the alignment of Cool Brook Lane. A gate would be installed in the location of the current barriers at the end of that road. And so previously, they had the emergency access gate and a little travelway in this location; they've moved it. So you have a emergency access gate in this location, which follows the alignment of that right-of-way. And with the shifting of the access, that will reduce some of the potential visual impacts and allow for more screening from the closest residential neighbors.

Mr. Bain: Mr. Zuraf, excuse me. The emergency access roadway and the crossroad that goes from one storage area to the other. Is it specified somewhere that those will be constructed to VDOT standards, anticipating that eventually Cool Spring Road would continue down there? It would make sense to me to make sure that those are VDOT standard design criteria so that all they have to do is widen it on the shoulders and won't have to tear up the whole road.

Mr. Zuraf: It was not and I think because the use of that is going to be so limited, that... and it would be likely that once the time came to, if this ever became a public road through here, I'm sure there would be a need to put in curb and gutter and a lot more significant improvements that probably would be excessive at this point, I would say.

Mr. Bain: Hmm. Okay.

Mr. Randall: Mr. Zuraf, I have a quick question. So, right now the current condition of that whole area is wooded, correct?

Mr. Zuraf: Yeah, there... generally, yes.

Mr. Randall: Alright. So in order to make that 20-foot emergency access, obviously that'll all have to be cleared, paved yes?

Mr. Zuraf: It may be able to... portions of that might be able to be gravel, since it's just an emergency access way.

Mr. Randall: Alright, so... Okay, so when... so, if you're going from left to right, and you go through that access gate, somebody could make that quick left-hand turn and drive all the way up to the emergency access gate, correct? There won't be a second gate at the bottom that will keep them from, keep them from going there where they only... when they can only go north, north and south?

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Mr. Zuraf: Right. Yes. They could, I guess, technically go that way, but they'd run into... *inaudible*.

Mr. Randall: Sure, sure, sure. I understand. Okay. Are we okay with that?

Mr. Zuraf: Yes, I think, because they're not really going to get anywhere.

Mr. Randall: No, no. My concern is somebody parks there. My concern is somebody drops a car off and leaves it there, parks there.

Mr. Zuraf: That, I guess that is always a potential.

Mr. Randall: So, if you leave that open, you know what's going to happen. They're going to use it as an avail... I mean, it's emergency, right? What are the odds of it ever being used? So eventually it's going to not be used and either you're going to have to put up a sign that says don't park here or people are going to park there. Because it's now going to be considered part of the storage area.

Mr. Zuraf: Well, it is still public right-of-way, so I think there's going to be some ability to prohibit that.

Mr. Randall: Agreed. I want to know what those... I want to know what that's gonna be, that's what I ask. So whether there's going to be a chain that you can put across there, there's going to be a sign, something along the lines that we can put there that says, you can go straight north and south, but you're not going to be able to, to use that for anything. Just a thought.

Mr. Apicella: So, just to piggyback off of that, since it's for the purposes of public safety, would they not normally put like fire lane along that area? No parking, fire lane?

Mr. Zuraf: I'd have to check. I'm not certain how that would be designed. I'm sure the Fire Marshal would want it to remain open. And I'd have to check to see how that, how that is, how that would have to be designed.

Mr. Randall: I mean, I like the fact that they're not, they're using the right-of-way, not having to cut through and put that gate right there in somebody else's backyard. I like the idea. But I think if you do it the right-of-way, you may, you may eventually have to do two gates, one at the very top and then one at the bottom so people aren't, aren't having, aren't able to access you know that 50 feet of road. So anyway.

Mr. Bain: We can we can specify as part of the conditional use permit that that be, that signage be placed and to prevent any vehicle parking. So it can be part of the conditional use then and then could be enforced easily.

Mr. Apicella: Mike, so when the applicant comes up, can you think about some language that we can add to the conditions to address that? Thanks.

Mr. Zuraf: Mm-hmm. So also, the evergreen landscaping was relocated. Previously, it was kind of in the center of the hill shaded area, and it was a single row of trees that the applicant relocated the evergreen trees farther up closer to the building. It also included two rows of trees to be proposed instead of one. There was concern though also about the existing trees being impacted. Staff is recommending modification to the landscape condition. So the new condition would require the existing trees along the slopes adjacent to Southgate Avenue and Queensland Drive to be retained to the greatest extent

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practicable. The condition requires the installation of a single or double row of evergreen trees to complement the existing trees that are in place. The intent of this condition is to avoid basically removing trees to plant new trees.

Mr. Randall: So, Mr. Zuraf, what's the status of the trees up on the hill? Are there trees up on the hill or most of them down near Queensland Avenue, Queensland Drive?

Mr. Zuraf: There are some up on the hill.

Mr. Randall: Okay.

Unknown speaker: *Inaudible, not at microphone.*

Mr. Zuraf: Yeah, more towards the upper part than the lower. So there are several key proffer amendments I'll review again. I've kind of gone over this at the last meeting, but it restricts the use to mini-storage warehouse with a dwelling for watchman or caretaker and motor vehicle rental. Currently, commercial retail use is permitted on the site. So this would change that... what's allowed on the site. With the second point, the maximum building area would be reduced from 300,000 square feet to a max of 100,000 square feet. So with the change in permitted uses and limitation to the maximum square footage, there'll be a reduction in vehicle trips to the site from approximately 12,800 trips down to 272 vehicle trips per day. On the third point, we would relocate site access from Southgate Avenue up to Cambridge Street. Currently proffers restrict that access can only be made to the site via Southgate Avenue. On the fourth point, it requires site development consistent with the GDP, and we have the... you saw the new GDP. And establishes building appearance standards.

Mr. Bain: Mike...

Mr. Apicella: Mike... I'm sorry. Just bear with me here, Mr. Bain.

Mr. Bain: Sure.

Mr. Apicella: So based on the limitation of just a mini-storage warehouse and the dwelling for the watchman and motor vehicle rental, again, all the other possible B-1, B-2 by-right uses are eliminated from the equation. Nothing else can happen other than these three specific uses.

Mr. Zuraf: Correct.

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

Mr. Bain: Do you know what the square-footage, building square-footage is as shown on the GDP? Is it 100,000? Or is it 50,000?

Mr. Zuraf: It's just under 100,000.

Mr. Bain: Just under 100, okay. Thank you.

Mr. Zuraf: So there are several new proffer amendments. One requires pitched metal roofs and vinyl fencing along the outer perimeter storage buildings. And then also prohibiting standard painted metal garage doors from any exterior of buildings, unless they're completely screened from view by vinyl

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fence. This is the image of a new Exhibit B included with the application which illustrates the view from Queensland Drive with these new design details incorporated into the image. Also, the applicant is committing to installing the following lighting improvements in the Southgate residential community. They'll install two pole-mounted light fixtures to illuminate the basketball court area and one pole-mounted light fixture to illuminate the adjacent vacant lot. Install one pole consisting of two light fixtures in the median right at the entrance along Southgate Avenue at Cambridge Street. And also install one pole-mounted light fixture at each of the three subdivision tot lots. And then also installing light fixtures on the two brick pillars at the entrance of Bayside Drive where it meets Truslow Road. The streetlight fixtures would be powered by commercial grade solar panels, cut off type style lighting projecting light generally downward and away from residential areas, and installed subject to the approval of the Homeowners Association, County, and VDOT, if necessary.

Mr. Apicella: Mike, before moving on, for the two or three people watching on TV glued to their television sets, can you tell us how we got to these proffers?

Mr. Zuraf: Yeah, so at the... there was interest from the homeowners of the of the adjacent neighborhood to request the applicant to consider some additional improvements to help I guess some of the needs that they have in their neighborhood. And the applicant has agreed to provide some improvements at the, at the HOA meeting in November. That was part of the of the discussion. And there were, there was a lot of different ideas thrown out of different improvements that people suggested and then I guess the HOA after that came back with these specific requests and the applicant agreed to those.

Mr. Apicella: Okay, thank you.

Mr. Zuraf: And just to show you where all of these are proposed and where they're located. So this is the parcel that includes the basketball court area and open vacant, vacant field. Here's the light improvement at the site entrance on Southgate Avenue and this light would be in that median; again, subject to VDOT approval. These are the three tot lots within the neighborhood that would each get one light. And then this is the site where Bayside meets Truslow and they're the two pillars that would have lights installed. This is from Truslow Road looking on to the Bayside and you can see the two pillars on each side where the lights would be installed. So touching on the conditional use permit, that would allow again a mini-storage warehouse use, a motor vehicle rental use, and dwelling for watchman or caretaker on premise. So these are some points that I previously made about these specific conditional uses. With the mini-storage warehouse, it's a less intense use of the property than what is currently permitted under the current proffers. Also, screening and site design that is being contemplated would minimize visual impacts. Also then for the dwelling for watchman or caretaker on premises, this feature for this facility could help to ensure proper management of the complex and be a point person for any community concerns with the use. With the motor vehicle rental use, there'd be a drop-off area designated outside the access gates into the complex. Also trucks would be stored inside the complex for the rental use specifically, and conditions intend to avoid visual or noise impacts from these specific uses. Just going through, here's a summary of the proposed conditions. And in red are adjustments that have been made to the condition since the original public hearing based on the new information. So again, limiting building height to one-story for the storage buildings, except for the office and apartment building that can be a two-story building which is right adjacent to the entrance along Route 1. Providing slatted aluminum fencing as shown in the General Development Plan. This condition was modified to clarify that this type of fence is permitted where not adjacent to the Southgate residential development. The proffers address the requirement to place the board on board fencing where the fencing is going to go adjacent to the residential development. And also added that all perimeter fencing would be a

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minimum of six feet tall unless it's required to be shorter by the County Codes. Locating the dwelling for the watchman...

Mr. Randall: Mr. Zuraf?

Mr. Zuraf: Yes?

Mr. Randall: Sorry, could you go back to the GDP and show us where it's going to be less than six feet, where the County requires it to be less than six feet please?

Mr. Zuraf: This is spot. So the area where there would have to be a 4-foot tall fence is along this location.

Mr. Randall: C you draw them red? I know, I'm being difficult. Thank you.

Mr. Zuraf: And probably up to here, because that is within the 40-foot building restriction line which fences cannot exceed 4 feet in height. And then...

Mr. Randall: And then on the other side?

Mr. Zuraf: ... this location is generally here. That's the only area.

Mr. Randall: Okay, thank you.

Mr. Zuraf: Also, limiting motor vehicle rentals, the previous condition had it limited to U-Haul type trucks. We modified that condition to remove reference to any specific brands because it could be any. The use permit would allow any type of rental company to potentially work, you know, operate out of this facility. Establishes criteria where trucks can be dropped off and stored. Permit one monument sign up to 12 feet tall at the site entrance along Route 1. Prohibit portable signs. There'd be no wall-mounted lighting permitted on the outer buildings. Those generally kind of shine outwards, so those would be prohibited. And then also no vehicle maintenance or repair permitted. Additional conditions requiring one way in and out. This was the previous condition requiring one way in and out vehicle access through the two access gates, and this is the condition that staff is proposing to delete based on the site redesign at the entrance. Requiring screening of any stored boats, RVs and campers, and other vehicles. This condition was modified to prohibit storage of any vehicles not associated with the storage facility. Also, requiring a minimum travelway of 30 feet between buildings. Limiting hours of operation from 6 AM to 10 PM. And we've modified that condition to clarify that those hours limitations include any customer access into the site. Increasing landscaping to provide for a double row of trees. Again, I've reviewed how we modified that condition. Requiring continuous acceleration and deceleration lane along Cambridge Street. Staff does propose deleting this condition based on input received from VDOT. They reviewed the issue and stated that they'd not be in favor of connecting up that right-turn lane all the way from the access point to Southgate. They said the lane is not long enough to provide for full acceleration. And it would not be really useful for that purpose. And then also from a safety perspective, a driver turning left out could get confused of a vehicle turning right into Southgate enters that turn, that right turn lane before the proposed entrance and goes straight through causing an angular crash. So VDOT for those reasons is opposed to that connection, and so staff recommends that be removed. Requiring access points to internal storage units would be provided in compliance with the building code. And there was also requests for accident data in the area. According to VDOT's crash analysis tool, from January 2017 through last week, there were 18 reported accidents identified along Cambridge

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Street from just south of Southgate Boulevard to... Southgate Avenue to the vicinity of Manning Drive. Each accident is represented by a dot on this map. Of the accidents, four crashes resulted in injuries and one with serious injuries.

Mr. Apicella: Mike, before you move on, again, the question I asked at the last meeting was to go back to VDOT, and I'm not sure if I asked to reach out to the Sheriff's Office. But again, with regard to the left turn out of the project – that's still not a concern for VDOT or the Sheriff's Office?

Mr. Zuraf: Not that I'm aware of. I mean, they will, they'll review that during the site plan to make sure it meets their safety requirements.

Mr. Apicella: Okay, thank you.

Mr. English: So my question is, you come to Southgate, you can't make a left. But they're gonna let these people make a left? That's my... that's you're saying?

Mr. Zuraf: It could have to do with the location of that because the Southgate entrance is...

Mr. English: That's ridiculous. I know that's not you, but that doesn't make any sense. Okay, thank you.

Mr. Apicella: I think part of it is the number of vehicles per day going out of Southgate versus out of this project.

Mr. English: All it takes is one.

Mr. Apicella: I hear ya. I'm hoping that they're gonna do a very good assessment at the, at the point of this... at that point where they decide whether or not it's still worthwhile and not of a concern to have that left turnout.

Mr. Zuraf: So with the recommendations, these don't... haven't changed since the last meeting, staff recommends approval of the rezoning with the amended proffers and recommends approval of the conditional use permit with the amended conditions subject to approval of the zoning reclassification. I'll note the Commission would need to take a separate action to accept the new proffers that were received tonight. And also note that we've not yet received the executed signed proffer statement. But that would be required to... we have to have that before this gets advertised for the Board, if... should the Planning Commission take action tonight.

Mr. Apicella: Thanks for your thorough brief, Mike. You've answered a lot of my questions or reiterated some of the points that were made at the last meeting.

Mr. Harvey: And Mr. Chairman, excuse me.

Mr. Apicella: Yes.

Mr. Harvey: Based on the Commission's questions, staff would entertain adding an additional condition to the use permit. If I may, I can read the staff's recommendation?

Mr. Apicella: Sure.

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Mr. Harvey: The condition would state, the applicant shall provide emergency access along the extension of Cool Brook Lane. No vehicle parking or storage of materials shall be permitted in the right-of-way of ... for the extension of Cool Brook Lane.

Mr. Apicella: Okay, I like that. Do I need to restate that? Because I did not have a chance to write all that down.

Mr. English: Well, what about Queensland, too, Jeff? Because Cool Brook and Queensland would be an issue, too, don't you think? Because to add Queensland as... also there is no storage allowed on that, too.

Mr. Apicella: But how would they get there? You can't get through the property...

Mr. English: They can cut in from the backside

Mr. Randall: They wouldn't cut it from Queensland; they would cut it from the inside.

Mr. English: But they could still, they'd could still...

Mr. Apicella: They'd have to walk through, you know, some area before they would... *inaudible, several people talking at once.*

Mr. Harvey: That would up...

Mr. Randall: Mike, can you go back to the GDP for that, please?

Mr. Harvey: Mr. Chairman, that would be located outside the fencing and also outside the complex. So if somebody was to park on the public street, that may be permitted for anybody to park on a public street. As far as storage of materials, storage of materials is not permitted to be located in a public street. So whoever does that would be subject to a violation.

Mr. Randall: Where does the right-of-way start? Pick another color and, or remove those colors. Show me where the right-of-way starts. Oh, you just wanted to erase it all.

Mr. Zuraf: The right-of-way is, is this bold line.

Mr. Randall: Yeah, show me where it starts on the street.

Mr. English: Right at the top right there.

Mr. Randall: It doesn't?

Mr. Zuraf: No, I'm not following your question there.

Mr. Randall: Okay, so I'm in Southgate and I have an extra vehicle and I just want to park it right along the road. Where can I park it and not... be on a public road and not be on your right-of-way?

Mr. Zuraf: Not be on...

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Mr. Randall: Yeah.

Mr. Zuraf: I mean, the road...

Mr. Randall: The road itself.

Mr. Zuraf: The road at the edge of pavement is here.

Mr. English: That's Queensland.

Mr. Randall: Okay.

Mr. Zuraf: Yeah. Queensland.

Mr. English: And that's Cool Brook right straight there.

Mr. Randall: Okay, so I can park, I can park in that little section of paved road. I can park there?

Mr. English: Yeah, yes you can.

Mr. Randall: We all know what they do. I'm not asking that question. Thank you.

Mr. Zuraf: Could people park there?

Mr. Randall: Are they allowed to park there?

Mr. Zuraf: Are they allowed to? I'm not certain, I'd have to check with the Sheriff's Office.

Mr. English: You can.

Mr. Randall: That is part of the right-of-way, correct?

Mr. Zuraf: You can.

Mr. English: You can, yeah.

Mr. Randall: That is part of the right-of-way, correct?

Mr. Harvey: Correct, as long as...

Mr. English: Because the road's wide enough that you can.

Mr. Harvey: As long as the right-of-way is not posted no parking, you can park on a back street.

Mr. Randall: Alright. So and we'll, and we expect that same level all the way down, correct? So my question is not what they do now, the question is when I open that all the way up down to the cross connect, why couldn't they do the same thing? If it's okay now, why can't they do it then?

Mr. Apicella: Well, it's not a public road.

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Mr. Randall: That part's not a public road now either.

Mr. Zuraf: Well, there's...

Mr. Randall: Because it's part of the right-of-way.

Mr. Zuraf: There'd still be a gate here.

Mr. Randall: Okay. Alright. So they could... so we're not going to move it down to the gate, right. We're gonna put the gate right where the road ends right now?

Mr. Zuraf: Yes.

Mr. Randall: Okay. Alright. So we're clear. Thank you.

Mr. English: But Jeff, you're saying that we're not allowing them to park on Cool Breeze; is that what you're saying?

Mr. Harvey: Correct. They cannot park in that section between the, um, where Mike is marking out there.

Mr. English: Okay.

Mr. Harvey: So, they can't park there or put storage of materials there based on the comments.

Mr. English: Okay, I gotcha now, I'm following you now. Okay, buddy. Thank you.

Mr. Apicella: So, a couple of questions for you, Mr. Zuraf. The, the picture of the vinyl fence. It doesn't really say how tall it is. So how tall would that vinyl fence be?

Mr. Zuraf: Six feet.

Mr. Apicella: And we talked about potentially eight feet. Is there a reason it can't be eight feet? I thought it couldn't be higher than eight feet, but it could be up to eight feet.

Mr. Zuraf: It could be up to eight feet.

Mr. Apicella: So how do we get to from six feet to eight feet?

Mr. Zuraf: You could modify the condition.

Mr. Apicella: Mr. Harvey, do you have a problem with that?

Mr. Harvey: No, sir. We need to check with the applicant, because their plans show six feet.

Mr. Apicella: Okay, well, I'll be asking the applicant. So we could have a condition though, or they could proffer that it be eight feet. One way or the other there's two possible paths but.

Mr. Bain: For what reason would it go to eight feet? Security or vision?

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Mr. Apicella: Vision. For visual impact.

Mr. Randall: *Inaudible*... because you can still see it.

Mr. Bain: I don't see a significant difference between looking at a vinyl fence or a building. You're still seeing a structure. So I don't know...

Mr. Apicella: If it were me I'd rather see the fence than seeing the storage units.

Mr. Bain: Oh, you're still going to see the roof.

Mr. Apicella: Right. So from the roof...

Mr. Bain: From the picture... show the picture that...

Mr. McPherson: Given the height of everything, would the additional two feet block the view? I don't know if it would.

Mr. Bain: You'd still that roof and the...

Mr. Apicella: Well, if you're standing at the... along Queensland, and you've got a fence that's two feet higher, you're probably not even going to see the pitch metal roof.

Mr. Bain: Oh, yes you would.

Mr. Apicella: Well, you might see just the very top of it, but if you're, if you're... the purpose of the pitch metal roof was to, again, for the people who are on their second floor to make it less, less clear or to make it more like maybe a residential community. That's one of the reasons why that was put there. I still think that a higher fence, if it were me, and I lived in that community and I was walking along Queensland, I'd rather see a fence, especially given what their viewshed is now, which is almost all trees. So what you'd really probably see mostly is the very top of the roofline and the trees behind it. If you're standing at ground level, or on the first floor of your house. Again, if that were me, that's what I would prefer to see.

Mr. Zuraf: Over time those trees will fill in and kind of soften... *inaudible, being talked over*.

Mr. Apicella: It's all, I mean, the green vinyl fence, the green pitched roof, and then the trees. It'll make it less obvious what's there in my opinion. Okay, I still have another question. So I think this was mentioned at the last meeting, but I'm going to bring it up again. Somebody raised the concern about people getting from the storage units from out of this project directly into the development. Well, that's not possible; but it is possible that somebody driving a truck could go through Southgate and wind their way onto Truslow Road. So how... based on that concern, is there a process that the neighborhood could go through working with the County to restrict truck traffic coming through the community? Mr. Harvey, I think you might know the answer that question.

Mr. Harvey: Yes. They can work with the Capital Construction Department and VDOT to see if they can have VDOT impose No Through Truck traffic signs within the community. And that comes with an extra fine if someone does cut through with a truck. It doesn't prohibit local deliveries to the houses in the neighborhood but would prohibit cut-through traffic for the community. It's likely that that could

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be approved since there are alternative routes that are easily accessible for trucks which is Route 1 and Truslow Road.

Mr. English: Well, that Cool Springs... am I correct on Cool Springs? I don't think that... when you park they got cars parking close that you can't get a truck through there. You can barely get a car through there on Cool Springs, am I right?

Mr. Harvey: Cool Brook.

Mr. English: No, it's Cool Springs and Cool Brook. There's two Cool's in there because... Clear Springs, I'm sorry, but I know because they've got a truck parked there today that's been there and there's other car traffic and you can barely get a car through there on that. That road is not wide enough. But Queensland is, Queensland is very wide. So yeah, I think you need, we need to do that then no trucks allowed through there.

Mr. Apicella: Right. So that's not something we could do as part of our process today. But the could work with the Board of Supervisors. They could start that process now if they wanted to make a request to the Board of Supervisors and ask for the No Truck Through traffic. Right? Okay. I just wanted to bring that up and make everybody aware of it. Mr. Randall, you had a question?

Mr. Randall: Yeah, I'm sorry, I should have had this all done. But go back to what we were looking at before the GDP, please. Right there. Okay, so you have a 20-foot – yeah, you can erase all that, I know you're waiting – so, you have a 20-foot section that's going to be the emergency vehicle access, correct?

Mr. Zuraf: Yes.

Mr. Randall: Do you intend to make that a no parking, 20-foot no parking all the way out to Queensland Drive then? In order to provide and ensure that's an open area for any emergency vehicles.

Mr. Zuraf: Yeah, that's where the condition Mr. Harvey stated that...

Mr. Randall: Yeah, but I need it to be all the way out to Queensland, right, not just to the gate. But it's got to be all the way out to Queensland. Because if I have the gate there, and I have parking as we've just heard, all the way along those, that restricts any emergency vehicle access into that area. So I'm okay with the condition. But I also think the condition needs to go all the way out to Queensland, through the entire right-of-way, and put a 20-foot no parking all the way. So it'd be no parking, they'll get to the gate. Right? And then you'll have the access open to get into the property. But that 20-foot no parking, it's got to extend all the way through the right-of-way into Queensland, or it does us no good.

Mr. Zuraf: Yes.

Mr. Randall: Now that you've decided to use that as the emergency vehicle access. So can we add that to that condition, please?

Mr. Zuraf: Yes. Mr. Harvey has the language, so...

Mr. Apicella: Actually, I have the language. So I'm going to give it back to Mr. Harvey and Mr. Harvey can give it back to you and then we can get it squared away.

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Mr. Randall: Alright. That was the clarification I wanted to make. Thank you.

Mr. Apicella: Okay, other questions for staff? Alright, Mike, great job. Thank you. Would the applicant like to come forward?

Mr. Basanti: Good evening. Peter Basanti, the agent for the applicant. And I also have Justin Boynton; he's the applicant/developer. And Justin Troidl; he's the project engineer. They are here to answer any questions that the Commission... of course, I'm also here for that purpose as well. With respect, I'm not going to do too much in terms of further presentation because Mike did a great job. And I'm sure Clark bored you enough during the October meeting. With respect to the conditions that you all have come up with here tonight, we have no objection to either the 20-foot no parking on Queensland. We also don't have any objection to the 8-foot fencing over in the... in terms of the vinyl board on board that is over where the pitched roof is. Now it looks like we could potentially modify condition 3 to include that or we can do a proffer, a modification to the proffers.

Mr. Apicella: Do you have a preference?

Mr. Basanti: Because condition 3 already references fencing and also, it probably makes sense to do it there because I don't think we have any proffers that get to those types of specifics in terms of fence height.

Mr. Apicella: Okay, so while you're continuing, I'll just ask Mr. Harvey if he could add an additional condition or amend condition 3 to that effect, while you're still doing what you need to do. Please go ahead. Is there anything else that you had for your presentation or comments?

Mr. Basanti: Oh, and with respect to the condition that Mr. Randall read as to the emergency... oh, with respect to the Cool Brook right-of-way, we have no objection to that condition. And we also note that prior to the approval of the site plan, there is a right-of-way access agreement that has to go before the Board of Supervisors. And that is a separate process than this. And they can impose additional conditions as part of that process. And that could include an additional gate or what have you. And, and I just, I would just like to reiterate, the Chairman mentioned it earlier, this is restricting this site to the three uses that are subject to the CUP. And the proffers right now call for three, or I should say authorize up to 300,000 square feet of commercial retail. And we're looking at the intensity of this use being over 50 times less in terms of traffic being generated. And it's, it's for that reason that VDOT was able to approve the access, the full service access through Cambridge Drive, which obviates the need to go through the subdivision which is what the current proffers contemplate for the retail. I just want to thank staff and the Chairman for working so diligently with the applicant and with the residential community to make sure this is a project that addresses the community's concerns, as well as the County's. I feel like we've achieved that objective.

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

Mr. Randall: Yes. Can we go back to the GDP please? Nope. I need to I need the full one, sorry. Yeah, that's good. So, I'm not convinced that I don't need a one-way in and one-way out. So convince me that a one-way in and one-way out is not a good deal here, or whether or not that's going to be best. I see lots of issues with somebody going in the bottom... somebody... two-way traffic through both of those access gates. I'm not used to normally seeing that; I'm normally used to seeing it you go in one way, you come out the other way. Currently, that's, uh, it's proposed to come out of our condition or a proffer.

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And I need to... I'd like to relook at that. So what are your thoughts about access around the development?

Mr. Basanti: In terms of the internal access, we are now... we've amended the GDP – I think this is the new version – to show that...

Mr. Randall: Yeah, it is the new version it is.

Mr. Basanti: ... that the internal access is all, is all one way.

Mr. Randall: Okay. I guess I understood it that we, that staff wanted to take that out.

Mr. Troidl: I think the applicant, he's fine with it being one way through the front gate.

Mr. Apicella: Can you just tell us who you are?

Mr. Troidl: Sorry. Justin Troidl with Bowman Consulting Group. You're right. I think the staff took that condition out, but I don't think the applicant is... would be fine with it... *inaudible, being talked over.*

Mr. Randall: The applicant looks like he wants to say something, so maybe the applicant could come up and say something.

Mr. Troidl: This is Justin Boynton.

Mr. Boynton: Yeah. So again, unless staff has an objection that they see an issue that we've missed, we're fine with it being one way; that's nothing we're pushing against in any way.

Mr. Randall: Okay. I would like to, I would like to propose that we leave that in. I think it, I think it smooths out a lot of issues with traffic if we have one way in and one way out, I would recommend at the end be straight up towards Queensland, right, and then out on the bottom. That's how I would recommend that. The other question I had is the access gates, you've moved the access gate down. I really appreciate that. I think that's the right answer. So what are you going to do for security? I know you have an access gate there. Internally, you have a couple of methods, you have the locks on the doors, you have the access gate, but you're going to have probably based on what I see maybe 10 or 15 locations, gates, lockers, that are going to be outside the access gate. Will there be any extra security provided for those storage lockers being that they're going to be outside the access gate? Do you know without talking to the applicant?

Mr. Basanti: Well, I will say that I believe the... in order to access, there's actually... the only way to open that I believe that there's a remote control that's only accessible the outside of the... well... *inaudible.*

Mr. Randall: Yes. No worries, please. I just need an answer; somebody, one of the three. That's all.

Mr. Boynton: They know infinitely more than I do. I happen to know about the operation of the storage facility. So, we'll have cameras trained on this area recorded 24 hour video surveillance, a watchman's apartment and office is right in that area. Almost certainly, these will all be actually accessed through a

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hallway and a keypad that you'll have to have a code to get in and have internal access to those... *inaudible, being talked over.*

Mr. Randall: Totally agree, except for the ones that are right down there outside the access gate. Mr. Zuraf, can you point the ones that I'm talking about? There should be, based on what I'm looking at, there should be 10 or 12 right there. It goes up a little higher because I think the access gates are right next to the building. Yep, right there. Those are going to be storage units that people will be able to access, correct?

Mr. Zuraf: So actually, if you go to sheet 4-A on the GDP, they now have... they show the layout and there's an internal hallway that would access those. That's the appearance.

Mr. Randall; Those are not, those are not outside accessed.

Mr. Boynton: Correct. Thank you. I'm sorry, I explained that poorly. I'm making assumptions. So many of these buildings are really going to have no roll up exterior door. They're going to have a keypad where you access more of a pedestrian size door, go into a hallway, and then along that hallway are these roll up doors.

Mr. Randall: Yep, well aware of them.

Mr. Boynton: Okay, sorry.

Mr. Randall: Absolutely. Could you point out which ones of those are? So all of the, all of the external storage units that I'm looking at will be of that type?

Mr. Boynton: We all, we just, we kind of build to the market. So the potential is to switch. So we kind of have a width where if we need to do exterior units, we can. If we need to have them be interior, we could as well. And so certainly that would be the case for those in that area that are outside the gate.

Mr. Randall: Would you be okay putting a condition to those that says those that are outside the access gate would absolutely have to be of that genre?

Mr. Boynton: Commissioner Randall, exactly. Just we can't function if people don't feel safe and secure storing with us. I completely agree with that.

Mr. Randall: I just want to make sure that we, we document that so that we're all on the same page.

Mr. Boynton: Yes, sir.

Mr. Randall: Alright, thank you. That's all I have.

Mr. Apicella: You're going to have to help us or help Mr. Harvey to write that up so it's pretty clear what you're looking for. I think what you're saying is any, any storage unit outside the gate access...

Mr. Randall: Will be internally accessed through a coded keypad that will be only available to the owner or the renter of the storage unit.

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Mr. Apicella: Well, okay, but that could be to any... you're going to limit? I mean, if they want to have a friend come over and pick something up, that's a bit prescriptive. I think as long as you have a keypad, that should be sufficient.

Mr. Randall: Okay. That's... sure. That answers the question. Thank you.

Mr. Apicella: Mr. Harvey, you've got the copy. Are you working on these additions?

Mr. Harvey: Mr. Chairman, I'm working on a revised condition and we'll, instead of specifying keypad, we'll just say a security... *inaudible, being talked over.*

Mr. Apicella: Security access, right. That's fine. Okay, other questions for the applicant? Alright, you did a great job. I'll let Mr. Leming know.

Mr. Basanti: Thank you.

Mr. Apicella: Okay, so the public hearing on this item is still open. Anyone wishing to speak on this matter you have up to 3 minutes. Your time starts when you see the green light. Yellow means there's 1 minute left. Red means your time is up, please wrap up your comments. So again, anyone who would like to speak on items 1 and 2, this is your opportunity. Again, please state your name and address when you come forward.

Ms. Evans: Good evening, I'm Kecia Evans. I'm also the president in, of the HOA. So I just want to say that we, as the board, got together and we did work with the developer, and we are in agreeance with the proffers that had been stated to the Planning Commission. Thank you.

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

Mr. Rosenberg: Hi, my name is Matt Rosenberg. I am a resident on that road that nobody can really drive by because it's all congested. I'd really like to say thank you to this board for a second because it was very refreshing to see how much concern you have over our neighborhood. I really appreciate the idea of an 8-foot fence over a 6-foot fence because I can't climb an 8-foot fence as easy. I guess the only concern that I have when looking at a lot of this stuff is with COVID being the way it is and with all these illnesses and people taking vacations and everything else like that, I hear about a watchman being there and providing the extra security for the site. But what I haven't heard are the contingencies should that watchman become sick? Or what is the backup plan to a watchman or caretaker who cannot perform his duty or is therefore otherwise engaged, on vacation, whatever. That's the only thing that I've heard that I haven't heard thus far that I would like an answer to. And I don't know who I'd address that to. That said, I came here very much prepared to be with all of this documentation about all of the different things about putting in communities and everything else like that. And I am very impressed with all the work that's gone into this and all the thought process and with all of the commitment to change that's coming from you guys as well. So that was my question and thank you. That's my thing.

Mr. Apicella: Thank you, sir. Would anybody else like to come forward?

Mr. Hrynko: My name is Robert Hrynko. And, well, obviously the discussion wasn't as, as in detail; it was more of a follow-up from, you know, the October 13th discussion. The biggest thing is I noticed living here in South Stafford. I mean, it's a number of storage units on 17. I mean, isn't that plentiful enough? I mean, there's a lot of development happening in Stafford. Is it really something that is needed,

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another storage unit in South Stafford? I mean, part of 17 is blighted. Couldn't we do something there? I mean, between one and 95, I mean, there's a number of storage units, then after you cross over to, you know, get into Target and that area, there's, there's one on Plantation, there's that big one across from Lowe's, a U-Haul there, storage units. I mean, it's just, I guess, living in a neighborhood, I really just don't want to see that out my back window. I live down in a cul-de-sac; we already have, you know, people using as a turn around and I just, you know, again, it's just a little disappointing, but I appreciate everyone listening, I really do. And I understand it's growth and capitalism and things like that. But I just really don't want to see that in our neighborhood, to be honest with you. Thank you.

Mr. Apicella: Thank you, sir. Anybody else?

Mr. Kiefer: Good evening. I'm Donald Keefer. I live on one of the roads that's impacted by what's happening here with the emergency exit. As previously stated, there is parking that takes place there. I got it that, you know, they agreed to put in, no storage, no parking and all that in that area. And then they can go forward for further discussion with the County as far as signage and all that goes for roads. I was also involved in the VDOT meeting that discussed the left turn out of Southgate Avenue, okay, and VDOT's concern was stopping semi-trucks on the hill going northbound should there be a light put in there to allow us to be able to turn left onto Route 1. That was their only concern. Okay, so I don't understand the one-way in/one-way out. As I look at this diagram, I see an entrance and exit onto Cambridge and no use of the entrances exits on to Cool Brook. So does one-way out/one-way in mean that entrance on Cambridge?

Mr. Apicella: Sir, it's not a back and forth dialogue.

Mr. Kiefer: Oh, I'm sorry, I apologize.

Mr. Apicella: It's just we take your comments and then the applicant will respond, and we'll take into consideration what you have to say.

Mr. Kiefer: But along with that, when I moved into the neighborhood 8 years ago, okay, there was no discussion of anything ever being put there. We were told by the developer in the company that was representing Ryan Homes at the time that nothing was going in there. Come to find out, we were then told well, you should have done your research. Well, my research began with Ryan Homes when I went to buy a \$500,000 house. I didn't realize I had to go and check county records. Therefore, I'm opposed to anything, any storage unit being put in there. That's not... we were told it wasn't gonna be used, much less part across Cool Brook, that secondary area, we were told was part of our property. And we've been paying to maintain it for the 8 years I've lived there. Okay, so again, I just, I supplied that information to you. I oppose having any storage unit put in there for security concerns and the traffic that potentially even if they come out and they don't want to make the left turn out onto Cambridge, they will turn right come into Southgate Avenue to do their turnaround to figure out how they can go back up or get out the back gate onto Truslow to access Route 1 down there to turn left and go north. Thank you for your time. I appreciate everybody listening. Thank you.

Mr. Apicella: Thank you, sir. Would anybody else like to come forward and comment on this matter?

Ms. Hopkins: I'll try not to blubber this time. My name is Melissa Hopkins. We're the house that sits on the corner of Cool Brook and Queensland. So yeah, we're upset because there's going to be something across the street from us that we were told that was supposed to be part of an open area. And Ryan Homes obviously told us wrong. I guess we should have looked further into it. But anyway, beyond

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that, it is what it is. And, but we're kind of upset because it affects us because I know, the mention of 8-foot fence sounds great, I'd love that. However, I guess the section over on Cool Brook Lane is showing 4 to 6 feet still. So that's still not going to be high enough, really, to block the view from us on the corner. Then also, along that easement, there's no trees or shrubs to hide on Cool Brook along the easement area, and beyond the new gate. So that kind of adds more to seeing it. I also worry about the traffic coming through the neighborhood again, because it's difficult to get out of our neighborhood to get to Route 1, you can only turn right as he just spoke of. So even though they're gonna allow it maybe through VDOT to make a left turn, when traffic gets heavy, who's gonna want to make that left turn. So what are they gonna do? Turn right, come into our neighborhood and turn around, like they always do now or go to Truslow. Also, I worry about security issues with kids in the neighborhood walking to and from school, to the middle school, bus stops with a 4-foot fence, 6-foot fence on the Cool Brook section right there. They jump the fence all the time now to get over to the school. So what's going to stop people from jumping the fence to get to the storage units. I'm trying to see, sorry, so I didn't... *inaudible*. And I'm not particularly a fan of the lights in the open area, because when we built we liked the peacefulness of kids running around playing games, soccer, football, whatever. And at night, not having lights shining on me. Like I said, you know before, it's just dangerous with the traffic coming in with the kids, the bus stop is right there at Southgate for the kids, depending on what time they would come in. And I'm just upset that my house is on the corner and I have to look out and see across the street to the side and in my backyard, nothing but storage units. So that's just it. Sorry. Thank you very much for listening. And I appreciate all y'all being willing to listen to all of us. And I do appreciate you willing to try and make changes. But still it's not changing the section on Cool Brook Lane and that's what bothers me the most. Thank you.

Mr. Apicella: Thank you, ma'am.

Mr. Muse: Good evening, my name is Terry Muse. I'm also the secretary of HOA. First, I know Kecia said that the board got together and we addressed this with the developer. I do want to mention that the majority of the community does not want to see this. Our requests for lighting was done as if we have to accept this, we would like this and return. But I do want to put out there the majority do not want to see building going on in that, that area. My other address would be where Cool Brook is and they're now taking out all those trees that were there in the last meeting, that was not a topic. There's a lot of trees in that area that separate side A and side B that we talked about at the last meeting that are all going to be removed, which is going to open up now even more of a view to side B, the smaller side. So I have a concern with that. And if we're going to do that, I also would like to ask that the gate that their emergency exit gate, instead of being so far forward to Cool Brook, why could we not move that back to where the side A and side B meet? Because you're talking about no cars parking there. Who's going to patrol that? It's in a gated facility, police aren't going to come in there and patrol that and ticket cars that are parked in a no parking zone because it's inside that gated facility. And if it's after hours, what can we do? So moving that back, if we could, I think would be reasonable to move that security gate back to where side A and side B meet. And, you know, from there, like I said, I don't like the idea. But I think we're at a point where it's either yes or no. And they did offer, you know, the lighting to the community which we respect that and we appreciate it. But really our backs are against the wall and that's why we said that this is what we like. So yeah, that's my concern. And what I would like to ask for is have that security break, you know, brought back some if we could appreciate it. Thank you.

Mr. Apicella: Thank you, sir. Anybody else interested in providing comments? Alright, seeing nobody else, I'm going to close the public hearing on these two items and bring it back to the Commission. Would the applicant like to address any of the comments that were made?

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Mr. Basanti: A couple of points. On the issue of the fencing on Cool Brook Lane, I think we've... Mr. Zuraf mentioned in his presentation, that is because that's right-of-way area, that is where county code requires it to be 4 feet. The applicant would have no objection to a higher fence there. But that's where it stands now in terms of the county ordinance. And also, with respect to... there was a comment made about the trees in the area where the easement for emergency access was located. That was actually amended in the new GDP. And we are preserving trees in that, because we've moved the emergency access, we are preserving trees in that area where the easement previously was identified.

Mr. Apicella: Anything else that you'd like to...?

Mr. Troidl: I can clarify that. So the issue before was where the emergency access was, we weren't able to plant trees to help buffer that particular corner house. So by moving the emergency access, we have planted additional trees...

Mr. Apicella: Can we bring it up?

Mr. Troidl: I don't know if we can bring that up.

Mr. Randall: *Inaudible, several people talking at once...* was one of the major.

Mr. Troidl: So, so before with you, I'm not going to touch it, I messed it up last time. This is where it was before. So what we've done is by removing that we've added additional trees in that area. There will have to be some cleared additional in this area. But that's as a condition of having asked us to move the emergency access over here...

Mr. Apicella: So, what, you'd have to clear it so the emergency vehicles can get through.

Mr. Randall: So how wide is that? How wide is it from A to B?

Mr. Troidl: Well, it's the 20-foot pavement and is relatively flat and...

Mr. Randall: I'm talking about the whole, how wide is it?

Mr. Troidl: It's just 50 feet, this entire right-of-way.

Mr. Randall: Fifty feet. So you're only clearing 20 feet?

Mr. Troidl: We would clear just as much as necessary to get that emergency access in.

Mr. Randall: Okay, so there will be some, there will be some trees left in that easement, correct?

Mr. Troidl: There's a potential for trees to be left in that area, depending on grade and meeting the clear... *inaudible*.

Mr. Apicella: Alright, thank you for the clarification. Anything else before I open it up to questions, any further questions from? I'm just asking if you have anything else.

Mr. Troidl: That's all I have.

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Mr. Apicella: Anybody have any questions for the applicant?

Mr. Bain: I just wanted to clarify something because Mr. Meese mentioned about moving that emergency or the access gate for the emergency entrance, down to the crossover. But if you did that, and still had a paved road there, people could park on the outside of the emergency gate, and you still would have illegal parking. So I think the location that you have the gate is really the best in terms of control. And then it's up to the owner and operator of the site to maintain that open. And if they don't, because it's a condition of we're going to have it as a condition, the County can then come and enforce it. So the, you know, if a resident was to see somebody parked there, they just call the County, the County will come out and get it, get it taken care of.

Mr. Apicella: Right. And I think you also mentioned again, there's a process, a right-of-way process where if we missed anything, and there's further review of the situation that that could also be changed by the Board of Supervisors as part of the agreement going forward. Is that... did I miss anything?

Mr. Basanti: Yes, exactly. Another discretionary process that goes on prior to the approval of the site plan.

Mr. Apicella: Okay, thank you. Yes, Mr. Randall?

Mr. Randall: One last question. Will there be a gate outside the fence closest to Drew Middle School? I'm sorry, not a gate, a fence. And how high would that fence be closest to Drew Middle School? Will it be inside... it'll be inside the obviously the rows of trees.

Mr. Troidl: I believe there's a fence proposed that would run along that entire, entire lot.

Mr. Randall: Right. Would it be outside the trees or inside the trees?

Mr. Troidl: In Stafford, do we do them outside or inside on buffers? I don't remember. It changes in the different localities. Let me see what we've got spec'd on here. Right now we have it shown on the outside as it goes along the middle school.

Mr. Randall: Okay.

Mr. Troidl: And it's split between the trees on the side between the open space parcel.

Mr. Randall: That's fine. For that area right there, will that also be stipulated that that'll be an 8-foot fence?

Mr. Troidl: He says okay.

Mr. Randall: Okay. Alright. So I don't know if we need to add anything to that or just stipulate that all of it, including the area around Drew Middle School between Drew Middle School will be 8 feet as well. Anyway, that's all I wanted to know. Thank you.

Mr. Apicella: Okay, last call for...

Mr. English: One more question.

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Mr. Apicella: Okay.

Mr. English: I want... the gentleman about if somebody's sick, who's going to, and that guy's on vacation, the watchman, how's that gonna be handled? I just wanted to be clear because he did ask that and I just wanted to clarify. How is that going to be handled?

Mr. Boynton: I appreciate the concern. So you know, we have the site staffed as far as someone in the office, let's say, from 8 to 6 PM, our normal hours, right, we'll have that per the proffer. The manager of the site will also live on the facility. So you're right, someone could be sick or be out a few days or go on vacation. Again, the site's still going to be staffed, you know, we're open at least six days a week throughout the year. And then again, everything also is, is always under recorded video surveillance that I can access remotely, that other owners can. It's just not trying to sell anybody anything, but just we're founded on having to be secure for the people that rent with us. So I mean, even when it comes to other things that the community may be concerned about, we're going to be able to support any concerns they have with, with our video surveillance of our property.

Mr. English: Okay.

Mr. Apicella: Okay, thank you. Mr. Randall, this is in the Falmouth district. So I'm going to virtually hand you the gavel on this matter so I can make some motions.

Mr. Randall: No worries. Thank you very much. So on the motion, or on the public hearing for the Southgate Commercial Proffer Amendment.

Mr. Apicella: So, so the first thing I'd like to make a motion on, Mr. Chairman, is to accept the revised proffer amendment as provided to the Commission tonight. I make a motion to approve that.

Mr. Randall: Do we have a second?

Mr. Bain: Second.

Ms. Lucian: Commissioner Apicella, I just wanted to raise one point because these proffers have not been signed yet, I don't know that you can accept them. So if you, if you would prefer, you could defer the item to allow them time to give you the executed proffers. Otherwise, you'll be acting on proffers that have been executed previously.

Mr. Apicella: Okay. Can we... alright, I'm stumped. So...

Ms. Lucian: I'm just saying the proffers aren't...

Mr. Apicella: So can we make a recommendation that the Board accept the revised proffers when it comes to them?

Ms. Lucian: You can. I'm just saying that if you act on it tonight, you're going to be recommending the application based on the signed proffers that we have. Because the ones that you received tonight have not yet been executed.

Mr. Apicella: So what does it take to execute these?

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Ms. Lucian: The person who needs to sign them needs to be here.

Mr. Apicella: I think the person is here. So can Justin just sign it? Would that be sufficient?

Ms. Lucian: If he's the appropriate signatory then yes.

Mr. Basanti: Yeah, he is an authorized signatory. The proffer statement does list Ivan Cowger as a signatory, but he is an authorized signatory for Falls Run.

Ms. Lucian: If he is then that should be fine.

Mr. Apicella: So, so can we take a two minute break and give you a chance to sign it and then present it to us? Would that be acceptable? Okay, so we're gonna stand adjourned for a minute or two to give... I'm sorry, I don't have his last name in front of me... Justin a chance to sign the document and then we can proceed forward. Would that work for you, Mr. Chairman?

Mr. Randall: That'll work just fine. We'll come back at 7:55.

Meeting break; meeting reconvened at 7:51 PM.

Mr. Randall: I call this meeting back to order. We have taken care of our proffers and the revised proffers have been signed. And so...

Mr. Apicella: So, Mr. Chairman, can I make a motion?

Mr. Randall: Yes, make a motion.

Mr. Apicella: I'd like to make a motion to accept the revised signed proffers as provided to the Planning Commission this evening.

Mr. Randall: Do we have a second?

Mr. McPherson/Mr. Bain: Second.

Mr. Randall: Alright.

Mr. Bain: Let Fillmore do it.

Mr. Randall: We have we have a motion by Mr. Apicella; we have a second by Mr. McPherson. Any comments?

Mr. Apicella: No, Mr. Chairman.

Mr. Randall: Alright. Any comments, Mr. McPherson?

Mr. McPherson: No additional comments, thank you.

Mr. Randall: Alright, let's vote on the revised proffers as signed. Thank you. Voting is 7 to 0. We have another motion?

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Mr. Apicella: Mr. Chairman, I'd like to recommend approval of RC18152265, Reclassification, Southgate Commercial Proffer Amendment.

Ms. Barnes: Second.

Mr. Randall: We have a motion to recommend approval. We have a second by Ms. Barnes. Any comments?

Mr. Apicella: Mr. Chairman, I'm going to make my comments when I make a motion on the CUP.

Mr. Randall: Very well. Any comments of response?

Ms. Barnes: Well, then I'll make mine now. I really tried to come at this from the perspective of people that live in the neighborhood. And that was, I think, you know, a lot of us don't want to see any more of these going in. But if this is a business model that works, and if I lived in your neighborhood, I would probably want this over just about anything else that, that would go there. So that's, that's the reason why I'm supporting this. I also like the fact and I hope that we hear this much more often in the future. At some point in time, somebody said, let's, or there was something there about leaving as many trees as possible so that we don't have a situation where we tear down trees just to plant more trees. And I think actually, we might have even added that to the Comp Plan at some point in time. So I hope we hear that much more in the future. So that's why I'm supporting this but I, you know, I feel for you that you didn't want anything to go there but something's gonna go there. And this is probably the best thing you're going to get.

Mr. Randall: Do I have any other comments?

Mr. English: I'm gonna make a comment. I'm gonna vote no on it because my main concern with this is the letting them make the left and the right out there and if they're making the subdivision make the make the right out, and they're not making that storage unit make it, they're let them come across. I think it's gonna be a dangerous situation right there with the schools, with the trailer park and all that right. It's too much traffic. So that's why I cannot support this.

Mr. Randall: Alright, anyone else? Alright. Cast your vote. Alright, motion passes 6 to 1 (*Mr. English opposed*). Do we have a motion for the conditional use permit?

Mr. Apicella: Yes, Mr. Chairman. I would like to make a motion to recommend approval of CUP20153251, Conditional Use Permit, Southgate Commercial with the conditions as presented to the Commission this evening as further modified with the following changes and additions. On condition number 3, in the last sentence, it should be modified as follows: All perimeter fencing shall be a minimum of 8 feet tall unless required to be shorter per the County Code. I would like to include or retain condition what was condition 14 as is and as I will state it, one-way access into and out of the facility at the two security gates shall be provided and include directional pavement markings with the traffic flow direction determined at the time of site plan review. An additional condition as follows: The applicant shall provide emergency access along the extension of Cool Brook Lane at the intersection with Queensland Drive, no vehicle parking or storage of materials shall be permitted in the right-of-way for the extension of Cool Brook Lane from the intersection with Queensland Drive. And one final additional condition. Any storage units that are physically located outside of the access gate shall be accessed by interior corridors by a second... by secured doorways.

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Mr. Bain: Second.

Mr. Randall: We have a motion to recommend approval with conditions as read. We have a second by Mr. Bain. Do we have any comments Mr. Apicella?

Mr. Apicella: Yes, Mr. Chairman. I'm recommending approval of the Southgate Commercial rezoning and CUP request because I believe it will significantly have less of an impact on this 8-acre parcel than what could happen otherwise by-right. With this mini-storage use, it will be as much as three times smaller than what could occur by-right. Additionally, the amount of traffic is reduced exponentially. Also, by going this route, the traffic will go directly onto Route 1 rather than on to Southgate as would be allowed by-right. Unfortunately, we don't always get what we want. As Ms. Barnes said, you may get something that is far more significant and impactful on your neighborhood. Again, by-right, this project, this area was zoned back in 2004 by a different Planning Commission and by a different Board of Supervisors. They're allowed to do anything they want that is allowable on this 8-acre parcel up to 300,000 square feet of commercial and up to 13,000 vehicles per day. By going with a mini-storage, they will have significantly less of an impact. As was stated earlier, it goes from 300,000 to 100,000 square feet, and from up to 13,000 vehicles per day to just under 300. I want to thank the applicant for working with staff, the Commission, and the HOA to mitigate the impacts of this project, and to provide the amenities the community wanted and might not otherwise get. Again, I know it's not what some of you thought you were going to get in your homes in your community, based on what the developer told you at the time. Again, you could get several commercial enterprises that would be much more visually impactful, and several stories tall as compared to this mini-storage complex. So for those reasons, Mr. Chairman, I'm recommending approval of again, the rezoning which you've already passed and the CUP.

Mr. Randall: Mr. Bain?

Mr. Bain: I certainly echo the statements of Ms. Barnes and Mr. Apicella. Time and time again, we've seen, had people, citizens, residents come and say, when I bought my house, they told me this concerning the land adjacent or nearby. It happens time and again. I wish we could invoke a law that would say to realtors, when you sell homes, you have to clearly identify the zoning of adjoining properties, and what could potentially be built there before the person signs the sales agreement. That would save a whole lot of heartache. We saw this very clearly, with the quarry project. People were saying the quarry wasn't, you know, had been restricted, couldn't expand anymore. But that wasn't true. And fortunately, that did get turned down. Unfortunately, I'm sure they'll be back in 10 years to do it again. But I just wish we could avoid this kind of problem for homeowners. I truly feel sorry for you. But as they have said, by-right, it could be a whole lot worse. So I support the application.

Mr. Randall: Thank you, Mr. Bain. Do we have any other comments? Alright, then let's cast your vote. Recommended approval is 6 to 1 (*Mr. English opposed*). Mr. Chairman, it's back to you.

Mr. Apicella: Thank you, Mr. Randall. I don't believe we have any Unfinished Business and no New Business. Planning Director's Report.

UNFINISHED BUSINESS

NONE

NEW BUSINESS

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NONE

PLANNING DIRECTOR'S REPORT

3. Comprehensive Plan 5-Year Update
4. Yearly Expenditures
5. iPads

Mr. Harvey: Mr. Chairman, the Commission may or may not know that the Board of Supervisors adopted the 5-Year Update to the Comprehensive Plan at the last meeting. In doing so, they made two modifications post the public hearing that the Planning Commission may not be aware of. One of those changes was dealing with the Urban Service Area boundary along Clift Farm Road. The Board of Supervisors adopted the Planning Commission's original recommendation to have a segment of that area be designated as a limited sewer and water service area and be outside the Urban Services Area. During the public hearing, the Planning Commission made an alternative recommendation to include the... retain the whole area in the Urban Services Area, but the Board decided to go with the Planning Commission's original recommendation. Also, the Board of Supervisors, in consideration of the policies relating to school capacity, decided to stick with design capacity, rather than program capacity for elementary school capacity determination purposes. With regard to yearly expenditures, we're halfway through the fiscal year and the Planning Commission is on track doing well with expenditures. Regarding iPads; every year, the Planning Commission, when we get new Commissioners on board, they get issued iPads. Some observation staff has had is not sure if the Commissioners are using the iPads, and we wanted to get some feedback as to whether that's a useful tool for the Commissioners or not. The agendas now are available online and easily accessible. And we notice at a lot of the meetings you all are using your personal devices because they have probably more flexibility for you and larger screens. So we wanted to get some feedback as to whether the iPads are useful and/or should be turned in.

Ms. Barnes: I have some feedback on that, maybe a little more than you're asking for though. Yeah, I have not used an iPad because I cannot write emails, open different windows on that little iPad. I need an actual computer. And it's my opinion that if it's possible, I think that new Commissioners and the Commissioners alike, if they so choose if they would like it would rather have the option of having an actual laptop. And the reason why I say that is because I think it's important that we, right now I'm using my own personal laptop, and it is updated and synced with my husband's business laptop, which means that anybody that searches this laptop is going to get a lot more information than I would probably like them to get. So that is, I think the iPads are not only not useful, but I think that my, in my opinion that Commissioners should be offered a laptop in order to compartmentalize their professional and their private life on those computers. I would say the same with the phone, too. I, after our experience last year, I think that if a Commissioner, I think that it would be a really good idea, and if a Commissioner would like to have a separate phone so that we don't ever have to get into a situation again, where our private lives are being searched. Thank you.

Mr. Harvey: That's very good feedback. Thank you. Do any other Commissioners have any thoughts or feedback regarding the iPads?

Mr. McPherson: Just one... go ahead, Steven. Just one thought, I'm not an iPad fan. But rather than offering only laptops, maybe give them the option if a lot of people do prefer iPads. I'm with you,

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Kristen, I don't like them either. I like to use my personal computer but having that as an option, because it's small, easy to carry if they're doing other things. I think that's still good to keep.

Mr. Bain: I don't like the iPad for this particular application because it is limited. Like Kristen said it's, with the laptop, you can access so much more that it would be difficult with the iPad. And I also echo the sentiment that I'm worried about security with my iPad. But I also... or with my personal computer/laptop. But I also think the County has to look at it from the security viewpoint that if, if my computer were infected, and I come in here and start doing stuff, can it in any way, impact the County's computers. So there's, there's, somebody needs to pay attention to that also.

Mr. Apicella: I love the iPad. And, you know, if I didn't have the iPad, I'd be doing a lot of this stuff on my phone, especially pre-meeting, I do a lot of work pre-meeting. I may not use it as much during the meeting because I prefer paper, because it's easier for me to flip through pages then to get through, through the iPad. But I'll give an example. We've got a GDP that's been provided to us. With your fingers, you can expand the size of the GDP, you can see things that you wouldn't normally see, especially on an iPhone. I think it has a lot of utility. I've used it quite a bit since we were provided it, again, maybe not necessarily during the course of an actual meeting, but prior to a meeting. I do a lot of research with it. I find it a very helpful tool. I'm not saying that those who prefer a laptop, if that's offered to them, that that's not worthwhile. But for me, personally, I would like to retain, or for I think a Commissioner should have at least the option of retaining the iPad, if not a computer as an alternative.

Mr. Randall: Yeah, I like my iPad. I use it. But I would, I would think that we would need to provide something, you know, I went to... schools provide Chromebooks, you know. I don't know if that would have the same flexibility. If the purpose of the staff to provide the iPad is to provide access to online information, then maybe you would just need a Chromebook, maybe you wouldn't need any more than that. You know, if they give it to all this school kids, you would think that there'd be some way that that could then move into other areas of the County. But to the Chairman's point, I think you need to do something. I'm an iPad person, I like it, I take it with me where, pretty much wherever I go, when I'm doing this kind of work. But I would think you need to do something. So that's it, thank you.

Mr. English: I'm like Steven, the iPad I like, but I think they're gonna give me both, but I prefer the iPad.

Mr. Cummings: I guess I might as well chime in. I know better, and I use my phone. And I think that we should offer the option of using either and then, again, with the iPads, the keyboards are relatively cheap, and they should be able to be accessible and the phones are critical, I think, something that the County should be seriously considering.

Mr. Harvey: Great. That's very good feedback. I appreciate it. I'll follow-up with the IT Department and others to give you a follow-up report in January and we'll map a course from there. Also, Mr. Chairman, I want to thank you and the Commission for another great year. We've accomplished a lot. Besides the Comprehensive Plan, which was mentioned earlier, it took quite a bit of time and a lot of meetings. And it was done in an expedited timeframe. And I think we got a good quality product at the end. But also the Commission did a lot of heavy lifting with regard to Downtown Stafford this year. We looked at a Comprehensive Plan Amendment, a Zoning Ordinance Amendment, and also the rezoning of two different tracts of land. And that was done again with a lot of effort, extra meetings, and a lot of due diligence, which I'm sure the public really appreciates. Sometimes maybe don't know about all the details, but it's definitely a lot that goes into it. Then another big thing that the Commission did this year was, as referenced by Commissioner Bain, was looked at the Vulcan applications. Those applications did have some significant community impact and involvement. And the Commission went

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above and beyond, had special meetings to make sure everybody knew all the details and all the correct information was out in the public. And staff greatly appreciates the opportunity to be part of that process, and helping the community understand what's being planned around them. I wish you all a very Merry Christmas and the best for your holidays. Thank you.

COUNTY ATTORNEY'S REPORT

Mr. Apicella: Thank you, Mr. Harvey. Ms. Lucian?

Ms. Lucian: I finally learned my lesson to take my mask off, so you can hear me. I hope everybody has a great Christmas and a great New Year. That's it.

COMMITTEE REPORTS

CHAIRMAN'S REPORT

Mr. Apicella: Thank you very much. Alright, for Chairman's Report. Obviously, this is our last meeting of the year and of the 2021 Planning Commission. I want to express my appreciation to my colleagues, and to staff for the great and I think tremendous amount of work that we did over the last year. And really looking back there was a lot that we, that we did as a Planning Commission, the many subcommittees I think everybody had a chance to be a subcommittee chair over the course of the year. And again, we accomplished quite a bit of work. Um, for those of us who will not be on the Commission next year, I mean, this from the heart; you will be missed. I've enjoyed working with each and every one of you, and I consider you all to be my friends, not just my colleagues. I want to wish everyone a Merry Christmas and Happy Holidays. And lastly, I want to open the floor to the team, if anybody has anything else that they would like to say as comments as we close out the year, and I'll start at the end. You don't have to say anything, but please feel free to do so.

Mr. Cummings: You know I'm gonna say something. I think as one of the new members of this Planning Commission, it's been a learning experience. I think we have some amazing, detailed, and learned Commissioners, and I'm happy and proud to have served and serving on this committee, or this Commission. I want to give a special shout out to, well, let me start with Jeff and his staff. I think they've done an amazing job of making very complex things very discernible for not only us, but also for the community. And I only see greater things in the coming year. And he knows what I'm talking about in terms of community engagement and some other things. And again, Ms. Lucian, again for all your work and your sound advice for the Commission. And again, for Steven. I think he does an amazing job as a Commissioner. I think he has a great balance. And I think he definitely has a hold of the issues and the process and the procedure and I think strikes the balance that really sets the tone for us to be able to really get through these issues and when necessary, steps in to be able to make sure that the right notes are played. So I'm very fortunate and consider myself fortunate to be on this Commission and learned so much. And so I just want to say Happy Holidays to all and despite the fact that I didn't bring the gifts, I still like you guys. And I look forward to serving with those of you who will still be here.

Mr. Apicella: Thank you, Mr. Cummings. And I've got that \$20 for you. Mr. McPherson?

Mr. McPherson: Yes. Having been a Planning Commission for 4 years working with incredible people, Commissioners and staff, everybody researches hard, works hard. And you feel very good doing things that help a great County. It's been very fun. I will miss being here next year. But I certainly appreciate

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having been 4 years of working with great people. And to piggyback on what Dexter said, Steve, you've done a great job as Chairman. Thank you so much for everybody for doing such great stuff.

Mr. English: Well, I'm just moving on, I'm moving up to the next level. But again, everybody, just like Steven says, y'all are great colleagues, great friends, and I hope your friendship will stay forever. Jeff, you have amazing staff. And I'm going to do whatever I can to help you boost your staff and make it better. What I'm going to do is my commitment. And when you retire, I guess Steven can fall into your shoes. But thanks so much for all y'all's hard work. Like I said, we did have a rough year, especially during COVID. We got to cut our hours back a little bit, which was nice for that first year. But again, thanks for everything staffs done and the Commission.

Ms. Lucian: Before we move on, Jeff's not allowed to retire. Just for the record.

Mr. English: Okay, thank you.

Mr. Apicella: Mr. Randall?

Mr. Randall: Yeah, just a couple of things. Thanks again, Mr. Harvey, for everything that you and your staff have done. You know, it seems like we, we get as good a product as we could hope for. And then we find the loopholes. Again, no reflection of the staff. It's, it's just what we do sometimes. And, Ms. Lucian, I appreciate your wonderful remarks and your comments every meeting. It is nice to have you here. The inside joke is that she rarely has comments. And so it's good but it's been fun. It's been good to be here and to be a part of something moving forward. You know, the things, the decisions that we make, the things that we do, the inputs that we have, hopefully make a difference. You know, you leave here after four or five, six, sometimes seven hours and you walk away hoping that what you've done makes a difference. And so I'm impressed with the people who are here, the work that's done, the effort that's made. And I know that for me, it has made a difference. The friendships, the people, the discussions, the conversations that we've had have been beneficial to me, and I am confident they've been beneficial to the community. And so to that end, it has been great being here, I do appreciate the opportunity to serve. And that's kind of the, the focus of what I've always tried to do is be of service to, to people. And so this has been a great opportunity. And so to that, I've been very blessed. And thank my colleagues for putting up with the questions and your meetings will be much shorter now, I can guarantee. Thank you.

Mr. Apicella: Thank you, Mr. Randall. I'm going to skip over Mr. Bain for a second and go to Ms. Barnes.

Ms. Barnes: I'm up next? Oh, okay. You know, I just want to say that I'm really gonna miss you three guys. You know, Bart, you come up with the best questions. Sometimes, you know, we scratch our head and think well, you know, wow, we missed that one. So, you know, not having you here, we need those questions. I think, I think it's been a good thing. But you know, we're really going to miss you. The three of you, especially I think, Bart and I and Al, we've spent a lot of time together. Yeah, exactly. On a, on a weekly... yeah, sometimes we spend more time with each other than we do other people. But it's, it's a loss for us. It's a gain for Hartwood. And I'm, I hope to see you Bart in something in the future because, you know, I always say is we can't change the world but we can make our little corner a little bit better. And I think the three of you have made our little corner just a little bit better. So thank you.

Mr. Apicella: Alright, Mr. Bain, back to you.

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Mr. Bain: Back to me, thank you. I echo all the sentiments that have been made. Last night at the party, we had three Supervisors that were leaving, and the County gave them really nice proclamations on things that they could put up on their wall. When a Planning Commissioner leaves, it's kind of like, don't let the door hit you on your way out. Unfortunately, the new Supervisors that come in almost all the time have no idea how good the Commissioners are that they are telling to leave. I think in this case, it's very true. Thankfully, Darrell, at least is moving into a position hopefully of more control and strength. But for all three of you, I wanted to do something special. So taking my hobby, I made plaques for each of you. It's the County seal. And on the back, it has your name, your area and your time of service.

Ms. Barnes: That is fabulous!

Mr. Bain: And they might still be a little wet, so watch out. It's been a pleasure. Oh, you're more than welcome.

Ms. Barnes: I think this should be permanent.

Mr. Bain: I actually had to use my heat gun on this afternoon to dry the polyurethane. It was that close. I thought, I thought we would have the opportunity in the January meeting to do it. But I hope I spelled your names right also.

Mr. Apicella: Well, I thank everybody for their comments. Again, for those who are leaving, you will be missed. And it can't be said enough. We have the best staff throughout the Commonwealth helping us do our jobs on a day to day basis. And more importantly, putting up with me and all my questions and get backs. So thank you to everybody. Again, I wish everybody a Happy New Year as well. So moving on, there is no Other Business. The last item that we have are approval of minutes. Is there a motion to accept the October 13, 2021 minutes?

OTHER BUSINESS

6. New TRC Submissions - *NONE*

APPROVAL OF MINUTES

7. October 13, 2021

Mr. McPherson: So moved.

Mr. Bain: Second.

Mr. Apicella: Okay. Just do a voice vote. All in favor say aye.

All members: Aye.

Mr. Apicella: Opposed? Okay, those minutes are passed. Is there a motion to approve the October 27, 2021 minutes?

8. October 27, 2021

Mr. Bain: So moved.

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Mr. Apicella: Second from somebody?

Mr. Randall: Second.

Mr. Apicella: Okay, all those in favor of approving these minutes say aye.

All members: Aye.

Mr. Apicella: Opposed? Okay, those minutes are approved as well. No further business before the Commission...

Mr. Bain: Before you do that, because she's not here but she might be watching on the TV...

Ms. Barnes: She is.

Mr. Bain: ... to Stacie.

Mr. English: Merry Christmas!

Mr. Bain: Merry Christmas and a special thank you for everything that you do. We know that in the background you're doing, you're holding up all of us and we miss you tonight, but look forward to seeing you next year.

Mr. Apicella: Absolutely. Thank you for... *inaudible*.

Mr. McPherson: And hoping you feel better.

Mr. Apicella: Alright, again no further business before the Commission, we are hereby adjourned.

ADJOURNMENT

With no further business to discuss, the meeting was adjourned at 8:22 PM.