

STAFFORD COUNTY PLANNING COMMISSION

January 10, 2024

The meeting of the Stafford County Planning Commission of Wednesday, January 10, 2024, was called to order at 6:03 PM by Acting Director of Planning and Zoning, Kathy Baker, in the Board of Supervisors Chambers of the George L. Gordon, Jr., Government Center.

MEMBERS PRESENT: Steven Apicella, Kristen Barnes, Carlos Bratton, Kelsey Caudill, Martin Martinez, Laura Sellers (arrived at 6:50 PM), Willie Shelton, Jr.

MEMBERS ABSENT: None

STAFF PRESENT: Kathy Baker, Lauren Lucian, Vicki Sowers, Mike Zuraf, Crissy Kendall, James Staranowicz

ELECTION OF OFFICERS

Ms. Baker: And we have a quorum. And the next item on our agenda is Election of Officers. I'm going to start the discussion and once we have a Chair, I will turn over the meeting to the new Chair. For the election of Chair we'll take nominations for that Chairman in the order that they are presented. And we will ask for a vote based on that order. So, at this time, I will take any nominations from the floor for Chairman.

1. A. Election of Chairman

Mr. Shelton: Madam Chair, I'd like to nominate Steven Apicella.

Ms. Baker: Any additional nominations? Then I will close the nominations and call for a vote for Steven Apicella for Chair. Please tally your votes. And that passes 6 to 0 with one absent (*LS absent*). And I will now turn the gavel over to Mr. Apicella.

B. Election of Vice-Chairman

Mr. Apicella: Thank you, Ms. Baker. The next order of business and I thank my colleagues for appointing me as Chairman. The next order of business is the election of Vice Chairman. Are there any nominations?

Mr. Martinez: Mr. Chairman, I'd like to nominate Commissioner Shelton to be the Vice Chairman.

Mr. Apicella: Thank you, Mr. Martinez. Are there any other nominations? Alright, seeing none, I'll close the nominations. Please tally the vote. I mean, please cast your vote. Tally the vote. That motion passes 6-0 with one absent. Okay, the next order of business is election of the Secretary. Are there any nominations?

C. Election of Secretary

Ms. Barnes: Chairman Apicella, I'd like to nominate Mr. Martin Martinez.

Mr. Apicella: Thank you, Ms. Barnes. Are there any other nominations? Alright, seeing none, I'll close the nominations. Please cast your vote. The motion carries 6-0 with one absent. And we're going to take a quick five-minute break to change chairs.

Meeting break.

DECLARATIONS OF DISQUALIFICATION

Mr. Apicella: I'll ask if there are any declarations of disqualification. Okay, seeing none, we'll move on to the Public Presentations portion of tonight's meeting. The public may have up to 3 minutes to comment on any matter except on the three public hearing items on today's agenda. Those are the Clift Farm items and the Ordinance change regarding the hospital definition. So, there'll be a separate comment period for those when they come up. This is not an interactive conversation. Before starting your comments, please state your name and address. The clock starts when the green light appears. Yellow means there's 1 minute left and red means conclude your comments, your time is up. So, if anyone would like to come forward during this public presentations portion of the meeting, please come forward. I do have a speaker card. Kristen Maxson.

PUBLIC PRESENTATIONS

Kristen Maxson: Thank you for your consideration. Kristen Maxson. Thank you for all your help and I appreciate your efforts to help the public. I want to remind the Commissioners that we do not have a Zoning Administrator and this has been empty for eight months with major effects on Stafford. Please keep this in mind. O24-04 was referenced in the end of December 2023 during special staff meetings. Has the Commissioners seen this resolution? Is it referenced in office compartmented staff but not to the public hearings? I have not heard. So just a reminder that everything is due process for informing the public according to bylaws. Today's packet page numbers are non-legible, at least online and some pages might morph and change. Quote, "additional sheets may be used if necessary" end of quote seen on page 244 of 368 if the pages don't change, dated 11-23-2020. Not all is fully visible and complete in this packet page. Page 156 out of 368 if the pages don't change, is concerning property owners which are not fully included in the application but attached. And we have noticed in the past that if the property owners are attached, that they might be excluded from the process. This attachment will not guarantee the view of attached names in the bundled document. Final application might be very different from the working application over time, as we've seen it in this particular example in the packet for years has exact elapsed. The public asked for complete property owners to be included prior to the Friday of the hearing, before the hearing. The GIS referenced packet refers to sometimes owners but not might not be updated according to the change of ownership. And I've been confused when I look at some of the map ID numbers and what the packet says as ownership and what the GIS says is ownership. The people want the actual Stafford Courthouse to be on public property, not on private property. And my minutes are up. We would like to use public equipment not private equipment. Thank you.

Mr. Apicella: Is there anybody else who would like to come forward? Okay, seeing no one else, I'll close the public presentations. Again, if you're here for the public hearings, you'll have an opportunity to speak on those at that point in time. Sorry, go ahead.

Sam Wang: Good evening. My name is Sam Wang. I will just begin. It won't take long. In the next couple of minutes, I'll just answer three quick questions. First, who am I. Second, why am I here? And third, what's my position about the proposal of changing zoning?

Mr. Apicella: Sorry. I'm gonna reiterate this is a public presentations portion of the meeting where you can speak on any topic you want except for the items that are up for a public hearing. So, if you're here to talk about Clift Farm, or if you're here to talk about the change in the...

*Planning Commission Minutes
January 10, 2024*

Mr. Wang: My apologies. That's why there's no light.

Mr. Apicella: Yes, sir. It knew. You gotta love technology. Yes, sir.

Marty Lemus: This won't be long. Marty Lemus. Potomac Run is the development. And just a typical storm day we live in, we have underground power, which is great, but it's tied to other homes that are not underground power. And we're just you know, every storm, it seems like we're losing power. Every storm, okay, correction. And I'm just talking my piece. I don't know if there's any other plans. It's I know it's an expense but are other homes gonna be running underground power and, you know, we be like a normal neighborhood? Thank you so much for hearing me out.

Mr. Apicella: Thank you, sir.

Tim Hawley: Hi, my name is Tim Hawley, 25-year vet Air Force. I've lived here for five years. My neighbors over there, we're having problems, as he mentioned, with the storms. As he said, it's tied into overhead wires coming into our neighborhood. We've got underground in most of our neighborhood. But every time we get rain saturation, every time we get wind, a tree falls down and knocks over the wires and we're back on generator power. And it's kind of frustrating, especially, I don't know if you remember a couple years ago, we had a huge snowstorm. I lost some trees due to the weight of the snow on top of the trees, broke the top of the trees off. We were out, probably, I don't know, two and a half days, because of you know, and this happens quite often. And we get what he called flashes where the lights go off and on all the time out there. And we all, every time that happens, we know a tree is probably bouncing on a wire somewhere outside the neighborhood. And we're just hoping that somebody, I don't know who this would be addressed to but hoping somebody looks at that, and looks at the number of times the power company has to come out and return power to our little area. Seems like our little area is hit quite a bit. So, if you could just think about us a little bit and if you ever talk about that power and the problems around the neighborhoods and stuff, if you could remember this neighborhood. A couple other things. We live not far from the dump, the County dump, and we get a lot of traffic on our main road coming through prior to our turn into our subdivision and it's just trash everywhere all the time. And I know they send the prisoners out there to pick up the trash every once in a while, which is great, and we appreciate that. But it's unbelievable how people are, they don't really care. They just throw everything in the back of their pickup trucks, don't even tie anything down and if something bounces out and falls in the middle of the road, they just keep going. And this is a major problem out there. Another thing is... Okay. What else? Oh, I want to say the new intersection, the interchange, not sure what it's called, you guys, whoever was managing that, whoever had input on that, did a great job. My wife and I love that area. New restaurants and everything are out there. The problem I have is the people that are managing the restaurants are not staffing the restaurants properly. I don't know if they can't find employment or what but you go through the line and sometimes you're waiting half an hour for a Starbucks coffee out there. It's just crazy. I don't know if any of you have experienced it. If you have, you know what I'm talking about. It's a wonderful area. We can't wait for it to ramp up a little bit more out there. But everything's just super slow out there. Hopefully, it'll pick up but it's great. Whoever developed that did a great job and we appreciate it. And I'll leave on a high note. Thank you.

Mr. Apicella: Thank you, sir. Is there anybody else who'd like to come forward for the public presentations portion of the meeting? Alright, seeing no one I'm going to close the public presentations portion and move on to the first item on the agenda. Are we going to take items 2 and 3 together Mr. Zuraf? Okay, computer please.

PUBLIC HEARINGS

Planning Commission Minutes
January 10, 2024

2. RC20153640; Zoning Reclassification – Clift Farm – A proposed zoning reclassification, with proffers, from the A-1, Agricultural Zoning District to the R-2, Urban Residential – Medium Density Zoning District on Tax Map Parcel Nos. 46-79, 46-79H, and 46-80, together consisting of 56.91 acres (collectively, “the Property”), to allow for the development of an age-restricted residential community. The proposed proffers would restrict the permitted use of the Property to no more than 141 age-restricted single-family detached dwelling units; install transportation improvements; provide cash contributions to mitigate impacts; install necessary utility infrastructure to serve the site; provide community amenities; install specific landscaping and screening; commit to specific senior housing and neighborhood design standards; and require additional analysis and recognition of archeological resources located on the Property. The Property is located along both sides of Clift Farm Road, north of the intersection with Leeland Road, within the Falmouth Election District. The Property is subject to a concurrent request for a CUP for retirement housing in the R-2, Urban Residential – Medium Density Zoning District. **(Time Limit: April 19, 2024)**
3. CUP22154813; Conditional Use Permit – Clift Farm – A request for a conditional use permit (CUP) to allow retirement housing in the R-2, Urban Residential – Medium Density Zoning District on Tax Map Parcel Nos. 46-79, 46-79H, and 46-80, together consisting of 56.91 acres (collectively, “the Property”). The retirement housing would consist of up to 141 single-family dwellings. The Property is located along both sides of Clift Farm Road, north of the intersection with Leeland Road, within the Falmouth Election District. The Property is subject to a concurrent request for a reclassification to the R-2, Urban Residential – Medium Density Zoning District. **(Time Limit: April 19, 2024)**

Mr. Zuraf: Good evening Chairman and members of Planning Commission. Happy New Year. Mike Zuraf with the Planning and Zoning Department. So, I'm going to provide the staff presentation for these two items related to the Clift Farm development. It's a zoning reclassification and conditional use permit.

Ms. Baker: Excuse me, Mike, can you just pull your microphone a little closer to you? Thanks.

Mr. Zuraf: Okay. So, for some background, the zoning reclassification request would be rezoning from A-1, Agricultural Zoning to the R-2, Urban Residential—Medium Density Zoning District on land that covers 56.91 acres. The conditional use permit that's corresponding to this is for retirement housing in the R-2 zoning district. There are three properties involved that cover the 56 acres. The site is and the Falmouth Election District. And James Jarrell with JPI-Clift Farm, LLC is the applicant tonight. The site is located on both sides of Clift Farm Road, on the north side of the intersection with Leeland Road. This is the existing zoning map. The A-1 zoning on the site, which is shaded in light green, covers the property and also is located around majority of the site with R-1, Suburban Residential Zoning. That's the yellow shaded area on the properties to the west of the site. There are no existing development proffers on any of these properties that are under consideration. The properties are mostly undeveloped. There's one single-family dwelling on the west end of the site off of Leeland Road. The site includes open farm fields and tree cover in the northwest corner of the property. That northwest area includes perennial stream with wetlands and resource protection area buffers. The topography is generally level on the site. General surrounding uses include rural residential uses to the north and east. There's a mix of residential and undeveloped properties to the south and then the Hickory Ridge residential development is located to the west of the site. The site contains three recorded historic archaeological sites. All three sites are considered to be military camp sites and have undergone Phase I Reconnaissance Surveys. The most recent being conducted in 2007. Two of the sites have been compromised due to road construction and extensive relic hunting on the site.

Planning Commission Minutes
January 10, 2024

Mr. Apicella: Mike, are you able to show us where those sites are or do you have another slide?

Mr. Zuraf: I will. Let's see, make sure I have the right spot. Make sure I have the same... one site is here. There it is generally over here and in this location. There's just a street view of the property that you see from Leeland Road. So, here's the General Development Plan; it depicts the site layout for the proposed development. The plan illustrates site layout of a retirement community with up to 141 age-restricted, single-family dwellings. The individual lot sizes are roughly around 7,000 square feet in size. Lots would front on internal neighborhood streets with no direct access onto Clift Farm Road other than there are three neighborhood street connections onto Clift Farm Road. There'll be no direct street connections from the community onto Leeland Road. Clift Farm Road bisects the community. There'll be a crosswalk across Clift Farm Road proposed and subject to approval from VDOT. There'll be sidewalks constructed along the internal streets and sidewalks are proposed along Clift Farm Road along the site frontage. In addition, a paved trail would be constructed along Leeland Road, extending to Morton Road to the west. A community center also with clubhouse and neighborhood amenities will be located on the western side of the site and then the resource protection areas that exist would be preserved. This image zooms in on the northern property line. Screening is proposed from the adjacent properties with either fencing or landscaping and there's varying screening methods. The applicant did provide this image of what a typical privacy fence would be in areas where privacy fencing is proposed.

Ms. Barnes: Mike, can I ask a quick question about that last one? So, this is proposed in lieu of landscaping, or in addition to landscaping?

Mr. Zuraf: Generally, I think the fencing is in addition. I think the fencing does cover the majority of all perimeter areas adjacent to residential. So, there's some areas where additional landscaping is provided and the, sorry, this image is a little blurry, but it kind of outlines as you go where the fencing would be, or landscaping. Probably have to look at the larger image to clarify if there's areas where fence is lacking. I can check on that.

Ms. Barnes: Okay, what's that buffer behind those lots in the back there, to that fencing? It looks like there's a little strip back there. I'm guessing that's the...

Mr. Zuraf: In this area? So, this is where landscaping would be added.

Ms. Barnes: Just that area, or the whole way?

Mr. Zuraf: In this location and in this location. And here.

Ms. Barnes: Lots 26 and 22, there's gonna be no landscaping or anything behind that?

Mr. Zuraf: Right and according to the applicant, they went and talked to the adjacent neighbors and kind of asked what they preferred and so they kind of customized their screening based on interactions with the neighboring property owners,

Ms. Barnes: And I can't read it. What's the width of that in there?

Mr. Zuraf: I believe it's a 20-foot-wide buffer area. I have to check on that. It's either 20 or 25 feet.

Ms. Barnes: Only 20 feet; 25 feet?

***Planning Commission Minutes
January 10, 2024***

Mr. Zuraf: Yes.

Ms. Barnes: Okay, thank you.

Mr. Apicella: Mike, who's going to be responsible for maintaining that fence?

Mr. Zuraf: That would be the homeowners' association.

Mr. Apicella: So, if it starts to get in disrepair after 5 years or 10 years, how do we know that it's actually going to be taken care of?

Mr. Zuraf: Well, there's, I guess the only way we're going to know if it's not, it's going to be remaining in the proffers the fence there. bIf for some reason, it falls into disrepair, it's really going to be, there would end up needing to be maybe a complaint that would be filed with the County, you know, a potential zoning violation, you know if...

Mr. Apicella: To the HOA?

Mr. Zuraf: Well, yeah. bYes, it would be...

Mr. Apicella: And what's the enforcement mechanism if that happens?

Mr. Zuraf: Well, it'd be to replace/repair any fencing that falls into disrepair.

Mr. Apicella: And if that doesn't happen, what's the next step?

Mr. Zuraf: Then the next step is to go to court.

Mr. Apicella: Okay, thank you.

Mr. Zuraf: So, the County just does everything we can to work with property owners whenever there is any violations to get them into compliance before we go to that measure. So, the applicant submitted a traffic study that evaluated the impacts on the project on the Leeland Road and Clift Farm Road intersection. The proposal is estimated to add approximately 944 vehicle trips per day. The trip count is a higher estimate than what might actually happen. It's based on a potential. The traffic study is based on a potential for 180 dwelling units. That was a concept that was contemplated earlier on in the process of this project. But since that number, of course back down to 141 the study concluded that the project would not degrade the level of service at the transportation network at that intersection. VDOT reviewed the traffic study and concurred with the findings. The study did recommend safety improvements at that intersection by requiring lane striping to improve the geometry to provide more of a 90-degree angle where the two roads meet. And also removal of vegetation along Leeland Road where there's sight distance issues. The applicant is proffering to provide those improvements that were recommended. And then bicycle pedestrian facilities plan, which is an element of the Comp Plan recommends a shared use path along the entire frontage of Leeland Road. That bike path is shown on the GDP with a gray line. The applicants proposing a proffer to construct a portion of the path from Clift Farm Road off site to the east towards Morton Road.

Mr. Apicella: Mike, before you move on, is there any reason why the applicant or are they not required to look at any other intersections? For example, Leeland and Primmer House and Morton Road.

Planning Commission Minutes
January 10, 2024

Mr. Zuraf: Yeah, when in advance of submitting this application, there was a scoping meeting on that traffic study where staff from the County and VDOT get together and determine what intersections should be studied. Through that discussion, it was determined that it wasn't necessary to study those other intersections due to the scope of this project. The amount of vehicle trips that are generated from this project are below the threshold to require a traffic study. So, this is on the lower end of the typical kind of development project that would do a traffic study and, in that case, we usually just focus on the closest intersections and that was the case here. So, looking at the Comprehensive Plan and Future Land Use, the Future Land Use Plan classifies the property within Suburban and Resource Protection land use designations. The plan states that Suburban areas of the County are areas where suburban scale of development is most appropriate. These areas are designated to be primarily residential in nature. Single-family detached dwelling units are recommended to be on a quarter to half-acre lots and half-acre to one-acre lots or larger towards the boundary of the Urban Services Area and developed at a maximum density of three units per acre. The development density of this project of 2.5 units per acre is within the recommended density limits in the Comp Plan of three units an acre. However, since the site is on the edge of the Urban Service Area, the proposal lot sizes of 6,600 or 7,000 square feet is inconsistent with the recommended larger lot size of one-half acre to one acre in size. Some other factors part of the staff evaluation, regarding utilities, specifically water and sewer, the applicant will be responsible for any necessary water and sewer utility connections and upgrades to serve this project. The most significant need is for a sewer pump station to serve this area. The applicant is proffering to construct a sewer pump station at a capacity adequate to serve this site and then also nearby parcels that are also within the Urban Services Area and would be utilizing that pump station if they develop. The Utilities Department does have concerns that the proffers establish very specific capacity standards for the pump station and utilities would prefer that the proffer be less specific to allow for that sizing of the pump station to be determined at site plan review when we get closer to design. There would be potential reduction and impacts to the County schools with the age restricted limitation. Proffers do not prohibit school aged children from residing in the project though. But for age restricted communities, the state code does require at least 80% of the units have to be occupied by at least one individual 55 years of age or older. For Parks and Rec, staff does utilize the County parks and utilization plan to identify if there's a need for parks in a given area. The plan does not identify this area as a priority area in need of more park facilities. The applicant is offering recreational amenities as part of their development package for use by the residents of this development. Public safety impacts would be generated by this site and they will be mitigated with per unit cash contributions that would be used for future facility upgrades. Last point on this slide, the applicant is proffering a series of neighborhood development standards for building materials, architectural features, site layout and landscaping. The standards are consistent with the Neighborhood Design Standards Plan, which is an element of the County's Comprehensive Plan.

Mr. Shelton: Mr. Zuraf, is that area already in an Urban Services Area serviced by water and sewer?

Mr. Zuraf: It is not serviced as by sewer. There's a water line that runs along Leeland Road.

Mr. Shelton: Thank you.

Ms. Barnes: Are they going to be required to... they're not going to be required to hook up to sewer though because of that pump station? Is that what you're saying?

Mr. Zuraf: They will be. The pump station will allow them to connect their site to the existing sewer network.

Planning Commission Minutes
January 10, 2024

Mr. Apicella: Sorry, just to kind of piggyback off of that question. So, if there's a pump station and it services the community, what is the impact on the adjacent parcels? And what I believe I heard you say was, they're actually going to service more than just Clift Farms. So what area are they going to be servicing beyond Clift Farm?

Mr. Zuraf: The application includes a map. It generally includes the areas to the north, which are also towards the larger property to the north that's owned by the County schools. Basically, that area, from this site north to that location, which are areas also within the Urban Services Area. You do have the properties within this site and the school property that are outside of the Urban Services Area, but the lines would have to run, you know, basically, between the, you know, these two sites outside of the Urban Services Area.

Mr. Apicella: So based on the County's requirements, would anybody who's not going to be, so you mentioned north, so anybody to the east, the west, the south, they would not be required to hook up?

Mr. Zuraf: If it's outside of the Urban Services Area, no, they wouldn't be required to.

Mr. Apicella: Okay.

Ms. Barnes: Mike, can I just ask a little bit on that note. So, they're building this station to be larger just in case those properties to the north are developed?

Mr. Zuraf: Yes.

Ms. Barnes: Is there a plan for those properties to the north to be developed?

Mr. Zuraf: Not that we're aware of.

Ms. Barnes: So then why are we putting in an extra-large pump station for plans that are not in place?

Mr. Zuraf: Because it's in the growth area, and I guess, our plan supports it and I guess plans could change tomorrow.

Ms. Barnes: Interesting, thank you.

Mr. Zuraf: So, I've noted several of the proffers earlier in the presentation. Here's an overall summary of the proffers being proposed by the applicant and just kind of generally commits to the development of the project as proposed. It includes a cap of the number of new dwelling units and a commitment to the use restriction of age restricted single-family detached housing, several transportation related improvements are offered including the right of way dedication, road safety improvements and construction of trails and sidewalks. Also proffers would provide funding for future public facility expansion needs, require construction of a sanitary sewer pump station, and other neighborhood amenities, requires screening from adjacent properties, established design standards to ensure quality development, require additional studies of the archaeological resource and other efforts to recognize the significance of the area and that includes the work with the Historic Commission on street naming and interpretive signage. So just to touch on the condition use permit portion for the name for the retirement housing. So, with this, the applicant submitted a senior housing design standards document which outlines how the project will develop to meet the needs of senior residents. These standards are based on the recommendations of the senior housing guidelines that are in the County's Neighborhood Design

Planning Commission Minutes
January 10, 2024

Standards Plan, an element of the Comp Plan. These standards address site location, overall design and building features. The application also includes an audit of how the proposed design standards comply with the County's guidelines. Regarding compliance with the different factors regarding location, the site is in the, as recommended, the Urban Services Area however not within a targeted development area as recommended. The site is within recommended distances to shopping, hospital, County parks and fire and fire station. Road design safety issues would be addressed as part of the concurrent rezoning. Pedestrian accommodations will be provided. And although not along a transit route, the VRE station is .6 miles away to the west. The development provides many of the overall site design recommendations. The project would provide monument signage, pedestrian accessibility, adequate lighting an ADA accessible clubhouse and passive and active outdoor amenities with seating. The project is requiring external building design standards to ensure a quality appearance. Garages will meet recommended size dimensions and sprinkler systems will be provided as a buyer's option. Individual units will provide many of the recommendations including safe convenient, front entryway access, internal access dimension requirements for doors and halls and then also some internal ADA features in the bathrooms and kitchens are offered as buyer's options. So, getting to the overall evaluation, first for the zoning reclassification. Looking at the positive aspects, the proposed residential land uses generally consistent with the land use recommendations in the Comp Plan for single-family residential development. The development is in conformance with transportation plan policies and provide safety improvements. Proffers ensure development is consistent with what is envisioned in the application. The proposal would reduce potential school impacts, monetary contributions would mitigate public safety impacts. The building design standards are consistent with architectural design recommendations. Screening is provided from the closest adjacent properties to the north. Negative aspects, the development intensity does exceed what is contemplated in the Comp Plan for this location. There are concerns with the proffer details regarding the sewer pump station capacities, and then commitment to construct the shared use path is only along a portion of the site as opposed to the full frontage. With the recommendation of the zoning reclassification, staff recommends deferral of the zoning reclassification application to address the negative issues that were cited. With the conditional use permit, looking at those aspects, with positive aspects, the proposed residential land use is generally consistent with land use recommendations, the project commits to incorporating many of the recommended senior housing design standards in the County's NDS plan. The development would install safety improvements to the Leeland Road/Clift Farm Road intersection and the proposed conditions will help ensure any potential negative impacts are mitigated. Staff does not see negative aspects with the conditional use permit portion of this project. And staff would recommend approval of the conditional use permit, with conditions recommended but subject to approval of the zoning reclassification first, and that concludes the staff presentation.

Mr. Apicella: Mike just for clarity. The reason why a conditional use permit is required here is, if it were just an R2 zoning for single-family housing, it wouldn't require a CUP but since retirement housing requires a conditional use permit that's why we're having the second piece.

Mr. Zuraf: Yes.

Mr. Apicella: Okay. Questions for staff? I see Mr. Shelton's got his hand on the...

Mr. Shelton: I have a question on the proximity to Dogwood Airport. Would you go back to your original drawing and is that within glide path of Dogwood?

Mr. Zuraf: So, Dogwood Airpark is basically right here. So, there's going to be your approach and I'm not certain what the full kind of traffic pattern is around the air park so I can't speak to that.

Planning Commission Minutes
January 10, 2024

Mr. Shelton: Thank you.

Mr. Apicella: So, our airport land use guidelines, do they deal with just the Stafford Airport or are they dealing with this airport as well?

Mr. Zuraf: Yeah, our airport land use guidelines are specific to the Stafford Regional Airport. It does not deal with this airpark.

Mr. Apicella: Do we do any kind of evaluation of the possible impacts on this airport at all?

Mr. Zuraf: On Dogwood? No.

Mr. Apicella: Okay. Ms. Caudill, did you have some questions? No. Ms. Barnes.

Ms. Barnes: Okay, so I have a couple of questions. Where to start on this one. First, archaeological sites, the Comprehensive Plan on page 2.5, it's recommended that the County protect cultural and historic resources. What has the County done to do that and what can we do to protect those cultural and historic resources? That's my first question.

Mr. Zuraf: Yeah, this project went to the Historic Commission back earlier last year, for them to consider the project with the known cultural resources on the site and through that process, the Historic Commission recommended the proffer that you see in here. What's been proposed is to basically follow through with Phase II Archaeological Studies on those three identified locations.

Ms. Barnes: And what's the purpose of a Phase II? Because if they recommend a Phase II and this is approved that Phase II comes after, so if there's recommendations after the fact, and there's a recommendation that might be in opposition to this particular project what happens if those two things don't necessarily align?

Mr. Zuraf: Yeah, so let me look at the details of the proffer.

Ms. Barnes: To me it seems kind of a cart before the horse.

Mr. Zuraf: So, the Phase II, that has to be conducted before approval of a site plan. So yeah, it is later. And what the proffer does say is they would provide a proposed course of action to meet the Phase II study recommendations.

Ms. Barnes: So, if there's something found that seems to be significant and the course of action that was recommended is that we leave some or certain portions of that land clear because of that, then the entire GDP has to be altered?

Mr. Zuraf: Well, I think the proffer language probably is not that strict in its current language, where it just says there could be a course of action, it doesn't necessarily say it has to adhere to the specifics of what, you know, is found in that Phase II.

Ms. Barnes: Okay. Next, I want to talk about age restricted housing. You said that the state law is an 80/20 mix?

Mr. Zuraf: Yes.

Planning Commission Minutes
January 10, 2024

Ms. Barnes: Okay. So, 20% of the houses could be just regular houses. I mean, regular under 55. Okay. Is there anything in any of this, there's not a proffer, I don't know, if there's a state law that is considered an age restricted housing, that 18 years and younger cannot live in that neighborhood. There's nothing prohibiting that?

Mr. Zuraf: Not in the current form of the proffer.

Ms. Barnes: So very well, there could be a lot of kids in that neighborhood.

Mr. Zuraf: There could.

Ms. Barnes: Okay. And in today's market, there are still homes being bought sight unseen for over-asking. It seems to me that a, and this is maybe just a statement, that an age-restricted housing could be fair game for any family. And even if you are 55, and older, I know when I was 55, I had kids that were still in the school system. So, I'm not understanding why there's, it seems to me that there should be some consideration, that there probably most likely will be children living in that neighborhood. And we don't really know what the percentage is. Okay. In our Comprehensive Plan, there is a very specific calculus about what each single-family dwelling costs the County. I don't know if you have it memorized. \$185,000 per house. Even if there were no students allowed to live in, I know that and I don't know, maybe I don't know this exactly, but there are 55 and older communities that specifically prohibit anyone under 18 years old, living, you know, much longer than a month or whatever it is, so that they make sure that they don't have school-aged children. So even if we assume that that somehow would happen in the future, I don't know how that could happen. I don't know if the developer has to come forward and proffer that or but even if we took away what that school impact would be, with the school impact, I think, according to the calculus of our Comprehensive Plan is about \$45,800. That would still leave a per unit, according to our Comprehensive Plan about \$139,000 per unit, correct?

Mr. Zuraf: Yes.

Ms. Barnes: Okay. It's my math, I know. However, the only proffers were mitigating for this particular development is for public safety, right? There is no nothing else, even though we've got basically, kids can live there.

Mr. Zuraf: Correct.

Ms. Barnes: Okay. I know, you know the answer. But I'm just reiterating that. I have a lot of concerns about that. I very much see a possibility of children living there. And even if grandparents have their grandkids that live there, I just I don't see how this is not going to have kids live there. The other one is that we mentioned was in these senior housing guidelines, it very specifically states that the place that the County would like to see these kinds of development is in the targeted development areas. Can you explain to me a little bit about why that was put in there? If you remember, that was a while ago, we had that committee?

Mr. Zuraf: Yeah, that, you know, likely, you know, generally those targeted development areas are going to be areas closer to 95, you know, where more services are going to be available to senior residents.

Planning Commission Minutes
January 10, 2024

Ms. Barnes: So, I don't write down the calculus that we have for public safety. With public safety when you do these senior housing there's generally, as far as I can tell, as far as I remember, there is more pressure on public safety, emergency services, with the senior housings, is that correct?

Mr. Zuraf: I would assume so. But I can't say for certain,

Ms. Barnes: And as far as infrastructure goes, with medical needs and public safety and you know, the average time of Emergency Services getting to that area, is there going to be any deficit there for that?

Mr. Zuraf: Well, I'm not certain what the response times are to this location. I think the serving fire and rescue station is Falmouth and that's a few miles away. So, I'm not certain what the response time to this specific location would be.

Ms. Barnes: Okay, that'd be something that may be good to know if we come back with that, just to know because one of the things that I have noticed and good luck now moving to Stafford, especially 55 and older, the older that I get, I know that everybody, the low hanging fruit on the tree in Stafford is generally the schools but the older that I get and I don't have children in the schools here, I'm noticing that good luck in getting a new general practitioner, good luck finding a new doctor. And it really concerns me to see that we've got this kind of housing come in, we've got the infrastructure that we've got with our hospitals and with our supply of doctors is, um, that's a real big concern for me. I think that's all I have but I might have another one. If I remember and then I'll let Steven know.

Mr. Apicella: Thank you, Ms. Barnes. Mr. Martinez.

Mr. Martinez: Thank you, Mr. Chairman. Happy New Year, Mr. Zuraf. Great to see you again. Just a couple of questions. It may require some follow-up. When I was reviewing the Parks and Rec section in the staff report, it said that you reviewed the 2017 Park Utilization Plan that the Parks and Rec Department developed? How often is that utilization plan updated?

Mr. Zuraf: Well I'm not certain if that plan has ever been, you know, was a previous version or you know, when that originated, so I can't say. I have to check on that.

Mr. Martinez: The reason I ask is because it based on this conclusion is that this area wasn't designated as a priority area and so if it hasn't been updated since 2017, and it's 2024, I'd imagine they're most likely some updates. And when I was on as the Planning Commissioner liaison to the Parks and Rec Commission for the last two years, one of the issues that kept getting brought up was a lack of fields for football, for baseball, things like that. And so, I recognize that staff is identified, this is not a priority area, but maybe the Parks and Rec Department has, but to say that it's adequate park capacity. I'm not sure if that's accurate if there was a new report that came out. Granted, I'm just speculating. And so, moving on to the next question I have with fire and rescue. Vice Chairman Shelton, I hope I'm not taking anything away from your expertise, but I will be curious as to how the applicant came about the \$443.40 per unit for mitigation? How did that calculation come to be?

Mr. Zuraf: Yeah, for determining proffered amounts, it's kind of site by site basis is determined on, its dependent on where the location of the site is. And there's a kind of a formula where we provide the applicants that identifies the typical cost of a new facility that would be needed for a single dwelling unit.

Planning Commission Minutes
January 10, 2024

Mr. Martinez: And historically, do you see Fire and Rescue facilities being created before housing is completed or vice versa?

Mr. Zuraf: Typically, it ends up being vice versa. Okay.

Mr. Martinez: Thank you very much.

Mr. Apicella: Ms. Sellers.

Ms. Sellers: So, to do a public facility, it has to be in the CIP so it typically comes after. Are there any new fire stations in the CIP?

Mr. Zuraf: There are. I'd have to check to see where those are.

Ms. Sellers: Okay. I can look that up, too. I should have looked that up. And Falmouth Station, that's a full time, a professional station, right, fully staffed 24/7 with County staff, so it's not a volunteer station. Just because the staffing looks different between our volunteer and our professionally, I don't know what the word is, between our volunteer and our County staffed facilities. The staffing looks different and I believe Falmouth is one of our career staffed facilities which would mean the response time for ambulance should be under a certain threshold and usually Falmouth, historically, it's been under that, correct? Well, you wouldn't know. We'd have to get the fire department out here.

Mr. Apicella: Ms. Sellers, Do you mind? I think Mr. Shelton's got a comment.

Mr. Shelton: Falmouth is a combination volunteer and career station. The engine is staffed 24/7, Ambulance is staffed 24/7, but volunteers are an integral part of it also.

Ms. Sellers: Right. So, but the point there is that Falmouth is one of them that is 24/7 staff with career folks. We do have a mix where, there used to be, where we'd put smaller number of career staff and Stafford County employed staff, or paid staff is probably a better description because, don't want to go down that rabbit hole, but it's 24/7 is my point. And so that response time there to get it, what will the response times be? It's going to be a lot. Now of a concern at the time was Berea because Berea used to be very busy because of England Run. And I would be curious to piggyback off what Ms. Barnes brought up is, what is that going to do to the response time there in the 17 corridor? Because with Berea running constantly, historically because of England Run and getting in and out of there and the 55 and up communities there, what will this do now if we add on the other end and how will that impact overall on the 17 corridor is my question.

Mr. Apicella: Any other questions Ms. Sellers? Okay. I've got a number of questions, if folks don't mind I'm gonna jump in. Mr. Zuraf, what's the definition of R-2, specifically defined purpose and its overall parameters?

Mr. Zuraf: The purpose of the R-2 zoning district is to provide areas of medium density residential uses, designed and intended to be primarily characterized by multifamily dwellings, duplexes and townhouses. Such districts are to be located near centers of urban concentrations, only where approved water and sewage are available, and where transportation systems are adequate.

Mr. Apicella: Okay. In the staff report, you all mentioned that the proposed density is higher than what was contemplated. What density again was envisioned in the Comp Plan?

***Planning Commission Minutes
January 10, 2024***

Mr. Zuraf: Well, the lot sizes are more intense than what's envisioned. So, the Comp Plan envisions half acre to one acre or more for properties near the edge of the Urban Services Area.

Mr. Apicella: And does that equate to a specific zoning category?

Mr. Zuraf: No, it's just a general statement.

Mr. Apicella: Okay. And what's the definition of R-1 and its parameters?

Mr. Zuraf: The purpose of the R-1 district is to provide areas which are in close proximity to existing and future development of equivalent or higher densities in which are intended for low density residential development, where public water and sewerage facilities are available. Development in the R-1 district is intended to be characterized primarily by single-family dwellings.

Mr. Apicella: So just again, for comparison purposes, what's an R2 lot size typically for single-family homes, not for apartments and townhomes?

Mr. Zuraf: Well, in this development proposal that we have before us the lot sizes are roughly 7000 square feet.

Mr. Apicella: And typically for an R-1?

Mr. Zuraf: For an R-1, you are going to be more likely a quarter acre or more.

Mr. Apicella: Okay, what's the zoning of Hickory Ridge and the average lot size?

Mr. Zuraf: Hickory Ridge is zoned R-1. I'm not certain of lot sizes but I have the density. The average density of Hickory Ridge is 2.25 dwelling units per acre.

Mr. Apicella: Okay, can we find out what the average lot size is there at some point?

Ms. Baker: Mr. Apicella, just for your information, that being an older subdivision prior to any change to our density ordinance in 2000, they range generally around 12 to 15,000 square feet in Hickory Ridge.

Mr. Apicella: Okay. Thank you. Mr. Zuraf. Are there any subdivisions near the project site with a density of three and a half units per acre are greater than one and a half units per acre?

Mr. Zuraf: Not greater than three and a half units an acre, no. But you asked also about greater than one and a half? Yeah, so Leeland Station development is a little over. It's like 1.58 dwelling units per acre.

Mr. Apicella: Okay, and you may have just said this already, but what's the project's average lot density?

Mr. Zuraf: 1.58 dwelling units per acre. Oh, this one? This one is 2.48. So gross, 2.5 Yeah.

Mr. Apicella: If this were rezoned to R-1, what's the potential lot yield?

Mr. Zuraf: Eighty-two lots under conventional subdivision. There is the option for cluster subdivision under R-1, which a conditional use permit would be required and that is 128 lots at 2.25 dwelling units per acre.

Planning Commission Minutes
January 10, 2024

Mr. Apicella: What again, what's that number?

Mr. Zuraf: One hundred twenty-eight.

Mr. Apicella: Okay. You may not know the answer to this question, but how many schoolchildren could there be if this project were rezoned as an R-1, single-family subdivision?

Mr. Zuraf: Seventy-seven.

Mr. Apicella: Okay, and how many vehicles per day would there be if this was rezone to R-1?

Mr. Zuraf: Seven hundred seventy-four.

Mr. Apicella: Do we have any other R-2 single-family subdivisions in Stafford?

Mr. Zuraf: Yes.

Mr. Apicella: And how about R-2 age-restricted single-family subdivisions?

Mr. Zuraf: I know of one. Falls Run Del Webb project on Plantation Drive.

Mr. Apicella: And just kind of taking a look at the approach that's being requested here. Have we previously rezoned a parcel to R-2 to allow an age-restricted single-family subdivision?

Mr. Zuraf: Well, there's the Del Webb project, but I don't know if that was specific. That zoning happened many years ago, I think even before that project was developed. So, I don't know if that was contemplated at that time. So, I cannot think of one off the top my head.

Mr. Apicella: Okay, I'm gonna take you in a completely different direction here. Are there any potential concerns or fixes regarding noise if the tennis courts were used for pickleball? I've read a lot of articles recently that pickleball creates a lot of noise. So, what I understand one of the proffers is that it's going to be striped for pickleball and it is I look at the GDP, the courts are going to be closer to the Hickory Ridge subdivision. I don't know how far and wide the sound carries, but I think there's at least the potential that it could be loud. If not impacting the people who live in the subdivision, people outside the subdivision. So, do we know of any fixes to kind of mitigate the sound of a pickleball racket and or court.

Mr. Zuraf: Well other than citing basically separation, you know, from residence and residential structures. Otherwise, from quick research there, there could be sound absorbing court surfaces that could be utilized also, sound barriers or certain fencing that will help to serve as a sound barrier.

Mr. Apicella: But as far as we know, none of that's been proposed now. Can you pull up the GDP again? So, the staff report indicates there's going to be some individualized landscaping and buffers near some of the adjacent parcels. Can we kind of take another granular look at that? As I see it, there's a maybe a 25-foot buffer for the northern portion.

Mr. Zuraf: I'll get you an answer on that. Yes, 20 to 25 is not specific on here as far as the width.

Mr. Apicella: So, we don't even know what the width is?

Planning Commission Minutes
January 10, 2024

Mr. Zuraf: It looks to be 25 feet, but I can scale that out.

Mr. Apicella: Okay. And along the, I'll call it the north eastern portion, that's just going to be a fence?

Mr. Zuraf: Yes. A fence along here.

Mr. Apicella: And you indicated that the applicant met with homeowners and that's what they would like to see.

Mr. Zuraf: Yes.

Mr. Apicella: Do we know if anybody disagreed with what's proposed here?

Mr. Zuraf: If so, I've not received any comments on that.

Mr. Apicella: Okay, one more overarching question. Are there any concerns that allowing R-2 on this parcel could change the development pattern nearby and I'm thinking globally, but specifically about the school site?

Mr. Zuraf: Can you repeat that question? Sorry.

Mr. Apicella: Are there any concerns that allowing R-2 on this parcel could change the development pattern nearby? I don't want to say setting a precedent because each project is looked at individually but once you create an R-2 parcel, there's at least a potential that someone's going to want an R-2 parcel in close proximity to one that's just been approved.

Mr. Zuraf: Yeah, it definitely could increase the pressure and maybe desirability to go that route. You would have a pump station, you know, so the infrastructure would be in place to serve other properties. And yes, it is on the edge of the urban service area, the site, so any other expansion beyond the property, you know, onto the properties that are outside of the urban service area that's going to likely need a Comprehensive Plan amendment. So, it's not like it's a guarantee, but it definitely makes it more likely, since you have that use established.

Mr. Apicella: So, I'm gonna ask you one more question related back to the comment about the lot sizes being larger than what was anticipated. If we can equate it back to a zoning category because that's kind of how I think, is there a zoning category that would more match what was recommended in the Comp Plan? Or number of units?

Mr. Zuraf: Well, like the R-1, or even A-2, would be more in line with what's recommended in the Comp Plan.

Mr. Apicella: So, 57 acres would be 57 lots roughly.

Mr. Zuraf: A little less because basically it's a one-acre minimum lot size and with dimensions and, you know, RPAs, it's going to be likely less than 50, is my guess.

Mr. Apicella: So somewhere between less than 50 and up to, if I look at R-1 with cluster, 128, potentially? Okay. Alright. That's it for me now. Anybody have any other questions? Ms. Sellers.

Planning Commission Minutes
January 10, 2024

Ms. Sellers: There's a proffer in here on Clift Farm Road right of way and it says necessary to it. It's a Clift Farm Road right-of-way, the applicant will dedicate the proper right-of-way to achieve a 25-foot on either side of the existing roadway as depicted. It's just a very interesting way that's written. Is there a graphic of that that I missed to show what there, or is that in the GDP?

Mr. Zuraf: There's a sheet in the GDP that shades in the area and basically amounts to a 50-foot-wide right-of-way.

Ms. Sellers: Okay. And that, does that take into account... There's quite a few projects in this area that were submitted by the County through smart scale, around five. And I'm curious if this proffer and because the traffic impact analysis was from 2021, if that proffer took into consideration the upgrades that the County has proposed to VDOT.

Mr. Zuraf: Well, I'm not certain any upgrades were proposed on Clift Farm Road.

Ms. Sellers: They weren't but Morton Road, Primmer House, well Leeland is getting a new bridge but that's not through smart scale. That's for something else but, or not Leeland but one of them roads in this area is getting a new bridge somewhere over the train tracks. But did this traffic impact study take all that into consideration?

Mr. Zuraf: I don't think so since the study didn't go out that far to Morton Road and further out on Leeland where the bridge is.

Ms. Sellers: Okay. And then with this multi-use path, where is it going to? Is there another trail down there that we're not familiar with? Or is this just an internal trail for the neighborhood?

Mr. Zuraf: The multi-use path, which one are you...

Ms. Sellers: It is proffer, under transportation proffers, paragraph c, it's on page three. It says multi-use path. Applicant shall construct a 10-foot-wide asphalt multi use path along Leeland Road from Clift Farm to Morton Road in the general location shown on the GDP.

Mr. Zuraf: Yeah, so it's basically along Leeland from Clift Farm to Morton. Our bike and pedestrian facilities plan recommends a shared use path along Leeland Road in this area so I guess the applicant's contributing portion gets it closer, gets the path kind of built part of the way, I guess, towards the VRE. And then there will be a gap where it will not connect with an existing trail.

Ms. Sellers: Okay, it's just yeah, there are trails down there and it's just interesting that we see kind of a multi-use path to nowhere proffered when there is a plan in that area for folks to get some use out of that and there could be a contribution made, you know, and I wonder if the applicant had thought of considering that. And then one final thing to make sure folks know that it takes as much money to build and maintain a multi-use path, especially of asphalt as it would a road. And so, who's going to maintain this this path? Because a lot of our multi-use paths, especially the ones that were given by developers are not asphalt, they are gonna be gravel, like Emery Mills are mostly gravel except the ones that now VDOT has to maintain.

Mr. Zuraf: Yeah, the intent is that would be within VDOT right of way.

Planning Commission Minutes
January 10, 2024

Ms. Sellers: Oh, so VDOT is going to maintain that. Okay, just trying to understand, you know, that proffer and how it fits into the greater park plan, there in that area, because there is a ton of park, paths and things that VDOT and the state have approved over the last few years and just wondering how that's going to connect into that bigger trail plan and it sounds like this will not.

Mr. Zuraf: There will definitely be a gap because there's other trail improvements planned farther down Leeland, as you get towards Deacon from, I guess, along Leeland Road from Deacon to the VRE station, there'll be a trail improvement along the road. So, there's definitely gonna be a gap there.

Ms. Sellers: There will be? Okay, well, I'll just put it out there. Hopefully, if any Supervisors are listening, they'll bring it up and see if we can close that gap to at least get them to the VRE station, because in my mind, as it's written, this is an internal project thing. And I don't know if it should be in a proffer statement like this. It sounds like it's more for the community to enjoy and not those around them and to offset the impact of their development. Just kind of, you know, me thinking and there's a lot of opportunity, if they want to build into that or connect into a path network, the County and the City and Spotsylvania put together a really nice trail network that I'd hope they'd consider looking into. So that's all I have.

Mr. Apicella: Thank you, Ms. Sellers. Ms. Barnes.

Ms. Barnes: Okay. Steven stole a couple of my questions. You said the A-2 was less than 50, correct? If that was what they were going to do, if they wanted to do an A-2.

Mr. Zuraf: Maybe around 50.

Ms. Barnes: Okay, and that would be more consistent with the Comprehensive Plan that envisions slightly larger parcels as you get out towards the edge of the Urban Services Area which this is, correct?

Mr. Zuraf: Correct.

Ms. Barnes: Okay, what about A-1? What if they were to do A-1, how many houses would go in there?

Mr. Zuraf: A-1 would be nine.

Ms. Barnes: Nine houses, okay. Alright. Okay, now when it goes to the entrance, I don't know if you can pull the GDP backup. It was explained to me that because that Clift Farm Road is considered a VDOT maintained road that there's considered to be multiple entrances into this development, but to me, it looks like that there is one entrance. I mean, with the way this is positioned, there is one entrance into that and that's Leeland Road. And if you've got a 55 and older, and no offense to all the drivers out there, but I know that as we're getting older, we're not driving quite as well. With 55 and older, you're going to have, every single house is going to have to enter that development through that one small entrance there.

Mr. Zuraf: That's correct. It would all access through that.

Ms. Barnes: Okay, why wasn't it considered that there was another entrance, maybe a little farther along so that it could have the multiple entrances. Most of the neighborhoods around here have multiple entrances into it and it makes it a little safer, because not everybody has to go through that entrance, especially the angle. That's a funky angle, which kind of almost got to do a u turn there. I know, they're going to be some improvements but nevertheless, as it looks here, it looks awkward.

Planning Commission Minutes
January 10, 2024

Mr. Zuraf: Yeah, I think, well, generally, the other locations, any other areas to potentially get an access point, then it would be from here over to here. And there could also just be concerns about having two access points too close to each other, along Leeland Road. And then as you get to the east, there's a severe kind of grade from the road. And there might be some utilities, I understand, that could be hindering the ability to, you're going to really have to do a lot of grading to get any other access point in this location. So, some of it's the geometry and the conditions of the area, then also the practicality of having multiple entrances too close to each other, which also can have safety concerns.

Ms. Barnes: Yeah, I live in a neighborhood that has two entrances that are very close to each other. And honestly, I think it's actually quite a good plan. I also noticed and I've asked you this before, it looks like there's an inter-parcel connection up, gosh, what is that? That dead ends right into some people's houses. So why even bother? Are we required to? I mean, it seems it seems...

Mr. Zuraf: Yeah, there are subdivision standards that will require a certain number of inter-parcel connections dependent on the number of lots in the subdivision.

Ms. Barnes: Even if it just bumps right into somebody's house?

Mr. Zuraf: Yes. And it's, you know, and in this situation that's the most logical way to place this, even though it may not happen for a very long time as far as a connection because you would, you know, extend the road, the road would continue on a straight path, as opposed to just basically jogging off to the side, which actually they do have another connection shown here as well.

Ms. Barnes: And there's no possible inner parcel connections to the north there, where we'd run through the school properties? There's nothing up there?

Mr. Zuraf: There's one here. One inter-parcel connection in this spot.

Ms. Barnes: No, I meant off of Clift Farms. I'm sorry. I understand what you are saying. Thank you.

Mr. Apicella: Thank you, Miss Barnes. Anybody else have any other questions? Alright, seeing none. Thank you, Mr. Zuraf. Will the applicant like to come forward? Computer please. Do you have a presentation sir?

Jay Hicks: I do. Good evening, everyone. Mr. Chairman, members of the Commission. Nice to see each of you this evening. Happy New Year. Thank you for allowing us to present to you all this evening at the first meeting of the new Planning Commission. A special welcome to Ms. Caudill and Mr. Bratton. Welcome. I'll think you'll find your time here on the Commission pretty interesting so I hope that comes true. I'm Jay Hicks. I'm with Clift Farm, Jarrell Properties. I'm the applicant for this project. I'm a resident of the City of Fredericksburg. I'm proud to present the Clift Farm project to you this evening. What we're seeing now on our screens is what we've dubbed the 10,000-foot view. For us, it illustrates clearly the location of Stafford County that we're looking at today, South Central Stafford. Safe to say it's a pretty populated area of the County. On this drawing, we can see the Urban Services Area clearly depicted in the darker tones. As we can see, it goes into the point area up here that we're talking about where Clift Farm is located. Things that would be interested to point out is that it's a narrow neck of the USA and when we're talking about properties in the USA that are have boundaries and limitations there, I'd point out that any of the remaining properties in this section of the USA that are developed will be a boundary property. And in some ways, it's limiting to the USA and in conflict with one another. But there's some other factors to consider. First of all, there was a part of this USA that the Planning Commission, the

Board elected to remove from the USA here on Clift Farm Road. They are essentially still part of the USA because they have a provision where they can connect to the USA. Those properties are bounded around the Clift Farm project property and they consist of four acres, seven acres, 10 acres, three acres in size. So those in effect are boundary of sorts between us and the outside USA properties. And in addition, along Leeland Road, on the southern side of the road, you'll notice that there are 18 properties of three acres a piece with approximately 50 to 75 feet wide of road frontage. So, there is a boundary of sorts, a buffering from the more intense uses of the Urban Services Area into the more rural areas that have been left outside of the USA. Project highlights. When we become engaged with a project we use our local knowledge to analyze the highest and best use that may be available for property. A mantra that jurisdictions and property owners join with us in. And what you're looking at here is our vision for this property. Looking at it, would an industrial park go here? No. Would a shopping center go here? No. But this is A1 land in the Urban Services Area and the County tells us that it should be suburban residential. And a low impact highly needed housing product in Stafford County is 55 and over housing for the coming silver tidal wave. The kids of baby boomers are coming of age. The Stafford Comprehensive Plan on page 227 specifically says senior housing needs will be a significant portion of the future housing demand. One in five residents in the region will be 65 years or older by 2040. And it needs to be a project that highlights the activeness of today's seniors, of the kids of baby boomers. And one other feature that's not listed here is that in our proffers that has been talked about this evening, we have \$68,000 for public safety. On the highlights of the page itself, we have 141 single-family homes that we're proposing, leaving 19.5 acres of open space which is essentially a third of the total property. We are asking for it to be 55 and over age-exclusive residential community. And we'll talk about a little more the details of that in a second. But the features of this active senior community will be sidewalks and a nature trail, a clubhouse with activity centers around it which would include bocce ball and pickleball courts. We're going to provide an AED machine available at the clubhouse. We're gonna have a community garden, adjacent picnic area and the multimodal path that we've been talking about is something that is required of us by the County and so our best intent is to try and be a part of the network for the Bike Ped network that's been highly celebrated here in the County and hopefully Stafford County can have some of the benefits that Spotsylvania and the City of Fredericksburg enjoy with their networks. But that's something that we're a big part of in other jurisdictions as well. We do pathways, we do both multimodal pathways in Spotsylvania, in the City with our projects and we've been a heavy investor in the Railroad Heritage Trails that are popular from Orange all the way into King George. We're talking here today about a rezoning. So, we're seeking to change from A-1 zoning. First of all, because it's necessary in the Urban Services Area for us to install the water and sewer. That's required in that area. R-1 does not permit 55 and over, as we discussed earlier today in this meeting, it even requires this conditional use permit so we're left with the R-2 zoning designation and with a process that still requires the conditional use permit. Density is frankly what helps this project pencil out. It helps to fund the water and sewer lines, the sewer pump and the curbing of the streets. And in another way, it helps spread out the HOA fees for our senior residents. It helps to provide the amenities most of us seem to agree should be a part of 55 and over communities at an affordable amount. Less residence means more in monthly HOA fees and vice versa. If we have more residents, those fees can be reduced. This is not going to be a Del Webb Development. We're from Fredericksburg. Modest beginnings, modest place. And we want it to be attainable to many while providing the living neighborhood that many seek in our community. The Comprehensive Plan has this area located within the USA and designated for residential use. The density numbers that have been alluded to are as follows: Hickory Ridge is at 2.6 units per acre. We're proposing at Clift Farm to be at 2.4 units per acre. R-2 zoning allows up to 3.5 units per acre, R-1 allows a mix maximum of 1.5 acres per unit. And then Mr. Zuraf also mentioned something I didn't have in my notes and that's if you're doing R-1 clustering, it can be up to 2.25 units per acre. We're not maximizing our request for lots under the R-2 zoning and we're not seeking 3.5 units per acre. We're not being greedy and do not seek the full 3.5 units per acre but more than the 1.5 units allowed by R-1. Rather, we're

Planning Commission Minutes
January 10, 2024

seeking a deal in the middle, 1.1 units less than allowed in R-2 and .9 more than would be permitted in R-1. Reasonable. And understand R-2 is a badly labeled zoning designation. Urban Residential, it's got a lot of the people worked up. Urban Residential, but it's Urban Residential with medium density. We suggest that our proposal for 2.4 acres in the context that I just presented to you is the middle. We're meeting in the middle and slicing the baby in half. And it's consistent with medium density zoning. And again, we're leaving a third of the property as open space. Disadvantage. So, going through what we do have provided on the screen, it's consistent with the Comp Plan. I described that to you. There's less units per acre than neighboring Hickory Ridge. We have 30% less of the units than we are allowed in the R-2 density. We're meeting those numbers right in the middle. Getting a little bit of what we need to in order to get the 55 and over community while being cognizant of the community's concern for too much density, consistent with the Suburban Land Use Plan designation of less than three acres per acre in R-2 designation, which we talked about conditional use and age restricted. Thank you. Age Exclusive Residential Community. What does age exclusive mean? It means one in the household has to be 55 and over. In our community, it also means that no one under the age of 18 years is allowed to be for an extended stay. And exclusive means everything else is prohibited.

Mr. Apicella: I'm sorry to cut you off there. I apologize. How does that happen? How do you keep that from happening?

Mr. Hicks: Well, in one of the proffers we speak to that, where in addition to the rules and regulations of simply the HOA, there'll be covenants applied to each deed for each lot that will specify specifically that no one under that age can be...

Mr. Apicella: I hear you. I would just say if I were you, I would take a closer look at that proffer, because it does say you'll have covenants, but it doesn't get into any specificity.

Mr. Hicks: Maybe that's on purpose at some level but the intent that we have is that there will be no children nearly at all in this in this community. There'll be restrictions and I won't ask you to point me to a 55 and over community in Fredericksburg that has children.

Mr. Apicella: Well, that's probably something we're gonna ask to look at.

Mr. Hicks: I can tell you looking at them that there's over 10, mostly in Spotsylvania, frankly, and you're talking about single digit number of children that go to school out of those developments.

Mr. Apicella: Understand. I just would suggest that you take, you consider, more specificity if that's your intent. Because it's not apparent to me, it just says covenants, which is a very broad statement that could mean anything. So, if you're truly, because understand that we can't make that restriction, either through the conditions on our own, but it's something you could do through the control that you have over the covenant.

Mr. Hicks: And that's the plan is that we would restrict them as absolutely thoroughly as we can. We have other 55 and over communities in which this is enforced. We'll model ours off of others. But the intent is that there'll be no children.

Mr. Apicella: Yes, Ms. Sellers.

Ms. Sellers: This isn't a new. Adding a 55 and over covenant/restriction, this isn't new. So why is this coming up now? How is this any different than Del Webb or England Run or Embrey Mill, we have a

Planning Commission Minutes
January 10, 2024

55 and up section there. So why, has this always been a concern or is this just a concern here? Because I'm not seeing something in the proffer that gives me any heartburn.

Mr. Apicella: I know Ms. Barnes has raised a concern. Right now, as we understand it, only one person in the development would be, in each unit, would be required to be 55. So, could be somebody who's much younger living in the house as well and/or having children. So, there's nothing on our end that would preclude children from living in those units, as I understand it, based on the state code. But there is something the applicant can do to clarify, because they control the covenants to restrict just what he said, nobody 18 or younger living for an extended period of time. That's not yet there. It doesn't specify that. But from my vantage point, that would certainly mitigate a concern that I have that there could be some number of school students coming from those units.

Ms. Sellers: Well, how have we done this on previous applications to ensure that because that would, if we're saying it's age restricted, the intent is to make it age restricted. And the enforcement mechanism would be a zoning complaint, it'd be pretty easy to actually do this zoning complaint. You go to the schools and say how many kids are you picking up here? So how have we done that in previous applications? And if we have to come back to that, that would be a question that I have for staff and for the attorneys. And has it ever been challenged would be, I guess, the question because this hasn't, to my knowledge, when we did Embrey Mill, we didn't have this concern. I don't remember it being a concern for England Run or Leeland Station. And you got a whole environment down there in Florida where they don't seem to have a problem so I'm just trying to understand the concern. But sorry, I didn't mean to interrupt you.

Mr. Apicella: Ms. Lucian, is that something can chime in on now or something you need to take a look at? Alright, thanks.

Mr. Hicks: We're specifically intending to do everything we can in documents to prevent it from happening. But we also know that it's incumbent upon the residents to enforce it. And it's to protect their property interests as well so it all works together and it's been successful in our area and many other locations. How can we do this, I guess we were just kind of talking about this a little bit. There are other 55 and over communities that proven this model. The key is a homeowner's association and covenants with the property. The HOA will be professionally managed, helps to take care of the business of the little things. The restrictive covenants, as I mentioned, will be provided for each lot that would not allow 18-year-old persons to reside in those locations. And not all 55 and over folks who want a large lot to have to take care of. We find that the smaller lots in the senior living communities are a desired product. The homeowners' association will also through declaration protect the residents' peace and happiness. And again, the Comprehensive Plan has cited that this is a product that is needed in Stafford County. Just the highlights of the screen or reciting some of the things we've talked about. It cites the actual state code that has been referred to. Again, we're going to be talking about small lot sizes, easier to maintain for folks 55 and over and the HOA is there to help protect the peace and tranquility of their neighborhood. Thank you, ma'am.

Ms. Barnes: I do have one last quick question about this. And maybe this is a question we have to maybe put off for later. What can HOAs do if there are kids living there, grandkids living? There is probably not something that you can answer. But there's got to be a specific mechanism because I know, having been on my HOA, we are very limited in a lot of things that we can do. So, I'd be interested to find that out. And one of the reasons why I brought this up is obviously, a lot of things over the last couple of years, the housing market has changed a lot. And I actually do know of some age restricted areas in Florida, where people have their grandkids, because there's a house shortage. People are still

Planning Commission Minutes
January 10, 2024

buying houses, sight unseen, over asking, because of the inventory that we've got. Maybe this hasn't been a problem in the past but it is something that I'm worried about seeing in the future. If it's not in the proffers, there's really nothing we can do about it. So maybe we just need a little more education on what exactly HOAs can do, how we can make sure this isn't a problem, and how we can make sure that we don't have kids living in there. Thanks.

Ms. Sellers: My experience was the opposite. My grandparents live in one and at 22 years old, they knew I was not 55 and up and said you've been here for a week, you have to leave now. They have little carts to go around. I just know from my experience, there is no worse HOA or better depending on your perspective than those of those Del Webb type communities. They enforce that. They have a damn good HOA.

Mr. Hicks: Alright, traffic considerations. Everything we do with roads is reviewed by Virginia Department of Transportation, as it has been in this case. No one can just decide to install the traffic light at an intersection and put it up. VDOT has to say the signal is needed or warranted in that particular location. Certainly, we all experience some form of what we call traffic in the Fredericksburg area and the folks near Clift Farm are no exception. No doubt, there are times and days that there's a line of cars that comes down Leeland past Clift Farm Road together, where they meet, on the way to work and on the way home, which are the typical times for that type of traffic everywhere. But the main surprising complaint that we received several times as we were talking to in the community was not necessarily about volume, but instead about the driving behavior. Loaded trash trucks flying down the road, people using the straight, very straight, straight away as a drag strip. VDOT must see volume in order to have significant improvements to be warranted. And they're just not there. As Mr. Zuraf was referring to, that volume of traffic just isn't here and the graph here on the screen is an example of where we are versus where VDOT analyzes traffic numbers. The red and the green numbers in the lower left corner proposed traffic analysis for Clift Farm. And you can see where the hashmark, the shaded in areas of this graph, are really nowhere near this for even a taper lane, tapered right hand lane on Clift Farm Road. So even the most minimal of VDOT improvements is not honestly close to being warranted in this case. The GDP has been reviewed by VDOT and satisfies their requirements. We're agreeing to provide a line of sight to the east of Leeland on the least traveling direction of Leeland Road of 555 feet. We're going to reorient the intersection between Clift Farm and Leeland Road to provide striping to make it clearer, the sides of the roads and travel lanes that are appropriate. There's been four auto-turn analysis provided in the traffic analysis in your package. We've done traffic studies, both immediately after COVID and subsequent to that including a 2023 review that also should be a part of your package. The project does not to generate enough additional traffic to require signalize improvements which I referred to earlier. There's an indication that with senior living there'll be as much as 55% reduction in the number of average daily trips for this type of housing. And of course, the multi-modal path rears its head again and we add that as an alternative to car travel. The fiscal impact of this project is significant. There are a lot of projects where we're skimming pretty close to zero on whether or not we're fiscally benefiting the County. On this sheet here, you can see specifically the amount of money that should be generated by this project for the tax coffers of Stafford County. And yes, that says \$25 million. You offset that with expenses, again in your fiscal impact analysis in your packet is more detailed for you to review, but it provides that seven and a half million dollars will be attributable to expenses for the residents of Clift Farm to Stafford County, so that offset creates a net positive of \$80 million over 30 years. As Stafford continues to fight the leakage of retail income to the surrounding counties these numbers do not include the benefits through sales taxes that our residents may provide, nor the support that the senior living residents will provide to our local Stafford businesses. Senior folks like to shop local. Stafford County Utilities. Being in the Urban Services Area requires to use public water and public sewer. Where the property sits we must construct a pump station in order to direct our sewer to the public main sewer line.

Planning Commission Minutes
January 10, 2024

These are an illustration of the type of pump station we may install, as well as a map of the area that we're proposing to serve. We've worked with the Utilities Department and have a solid plan for moving forward with pumping our sewer where it needs to go. In addition, we are cognizant that the Urban Services Area extends beyond us, essentially up the Clift Farm Road. And we have agreed to build a pump station large enough to accommodate the developable acres left in the Urban Services Area, potentially solving a problem for the School Board and their property. And of course, this plan is directly in line with the County Comprehensive Plan. So, with the construction of this pump station, we're going to build it to the specifications that are required to serve our 141 homes. But in addition to that, there's in the neighborhood of 80 acres, 80 to 90 acres, that's developable in the remainder of Clift Farm Road, including those individuals that asked to be removed from the Urban Services Area last year. They would be able to possibly benefit from this extension of the sewer line as well. Satisfies the sewer master plan for the County. It's in line with the Comp Plan that was just reaffirmed for the Urban Services Area designation. And we're hoping that it serves some bit of Stafford County. Historic considerations aren't small to us. We're from here, generations deep from here and we appreciate the significance of the history of the ground that surrounds us. We looked into the researchable history of the property, presented our findings and development plan to the Stafford County Historical Commission in April of last year. It was a good meeting. We had a chance to take into account some things that we have not thought of and we're happy to show our plan to the Commission, as well as to take their ideas and try to incorporate some into what we're doing. The gist of the meeting itself was the Historical Commission's approval of our plan, conditioned on the Phase II study being conducted. And there was a question earlier about the Phase II and how that could impact the development of the property. And what would happen is we've got a hold on that Phase II. If something were to be turned, turn up, turn out, be discovered, then we would have to put our construction plans on hold until that situation with the historical context is resolved. In addition, a couple of the good ideas that came out of the meeting were allowing them to help us name the streets with some historical context to the switchman station and installing historical placards that have become popular around our area and all sorts of locations to better describe what the history of this area was. Community Engagement. There's been a lot of effort to talk with the neighbors, talk with the community around us, especially from our end in this process. We appreciate the neighbors. We find them to be good people standing for their cause. Most of them purchase their property after it was subdivided for their new home. Each of them were award the property was within the Urban Services Area and that the School Board owned the property at the end of Clift Farm Road, all well after the Flippos, who are the property owners of this land, settled on Clift Farm Road. They were all aware of those factors when they purchased and built their homes. Even so we reached out to them and wanted to keep them informed of what we were doing, but also have a conversation to hear what they were interested in. And certainly, we've got some very passionate neighbors that are very opposed to this project so there weren't a lot of suggestions as to what we could do. But what suggestions they did give us in response, we've done our best to incorporate. The first meeting we had was noticed with County officials in May of 2021, held at Conway Elementary School. Subsequent to that, in September of 2021, we had a meeting at one of the neighbor's homes with a collection of quite a few than the neighbors, I'd say 15 of the neighbors or so we're approximately present for that meeting. We've had several individual meetings with neighbors over the course of the last two and a half years. We, I personally have met with each of the adjacent neighbors, at least twice on the occasion to talk to them about their landscape screening. That was one area where they were willing to give us some feedback and we took that into consideration. The landscape plan that you have before you is a reflection of those conversations and directly infuses the requests from the adjacent neighbor. So, when you see the clapboard fence, or you see vegetation that was specifically requested by that neighbor and we have placed those into our plan. A big part of the, you know, something we're kind of proud of in as far as the landscape screening is the on the northeast side of the project, where the inner parcel connector was looking to go into some houses, which is a little bit of an absurd thing. But in that area, there was a hedgerow that Miss Carter who lives

Planning Commission Minutes
January 10, 2024

in that area was a concerned if that was removed, she would be at risk of losing her 300-year-old Holly tree. So not only did we not try to trim it at all, we found a way to maintain it in its current form, to not touch the hedgerow at all out of concern for the wishes of Miss Carter. Why 141 homes? That comes down to the ability to deliver what we're promising and specifically with senior housing, I know some of you are familiar with the senior housing guidelines and the project that you have before you is 98% compliant with the suggestions of those guidelines. If we were to reduce the number of units we have proposed, then we're talking about going from 100% compliance down to 68% compliance. Right now, with our current project, we have 22 items that comply with the guidelines. If we were to reduce the number of lots, we would have to reduce the number of units that comply, or excuse me, the number of items that we'd meet the guidelines with to 15. That means we would not be in compliance with seven of the requests from the guidelines, leaving us with a 68% compliance rate. And what does that translate into? That translates into the loss of the community center, the loss of walkable lot sizes, loss of neighborhood character that we're trying to promote with the senior living, loss of the community center outdoor patio spaces, loss of continual community lighting and tight knit community benefits of having the safety of those houses be in close proximity to one another and there will be longer, uninterrupted sidewalk runs. So, in summation, the project that we propose for you with the 141 age-restricted lots provides an equitable, safe and affordable housing for the senior population of the County. Equitable means that it's walkable, maintainable and accessible, attainable, safe, it's well-lit, there's a strong neighborhood support system and the onsite activities should serve a great benefit to the residents. And it's affordable. Again, we're not going to be Del Webb but we do believe the seniors want and deserve amenities. So, we're going to deliver those amenities covered by reasonable homeowner's association fees. The cost of living will be manageable and the pro rata contribution of our infrastructure plans. And with that, I leave it to questions.

Mr. Apicella: Thank you, sir. Questions for the applicant? None. I guess I'll ask some questions. I might have waited for this after hearing from...

Mr. Hicks: The q&a was really great. I'm sitting back, okay, check that one off, check that one off.

Mr. Apicella: So, you sort of touched on some of these, but I'm gonna try to hit on them again. So why an age-restricted single-family subdivision on these parcels in this area.

Mr. Hicks: First of all, it's a product that's needed in Stafford County. It's woefully underserved. It's a location that calls for suburban residential, seems to be a good fit with very low impacts. You're talking about low impact on services in the County versus high impact on the fiscal side of things. So that \$80 million versus no impact on schools. No impact necessarily on Parks and Rec, a little bit on Public Safety. I think that should be a desirable development for both us and the County.

Mr. Apicella: Staff and citizens raised concerns about the development density, specifically the lot sizes, as compared to what's been recommended in the Comp Plan. So, what's your take on that?

Mr. Hicks: So far as what's been recommended in the Comp Plan where? What was the recommendation specifically?

Mr. Apicella: The recommendation, I probably should have written it down, one half to one acre, and I think, what was the lot size – 7,000 square feet? No, more than that, I think.

Mr. Zurf: Seven thousand is what what's proposed. Okay, the Comp Plan recommendation is one and a half to one acre or more.

Planning Commission Minutes
January 10, 2024

Mr. Apicella: Okay, so there you go.

Mr. Hicks: So, what's the counter to the what, was the reasoning for not aligning with the recommendation? What I cited before, that there's essentially USA properties that are outside of our boundary, that's outside the current specific USA boundary that provide that buffering in four-acre lot, seven-acre lot, 10-acre lot, three-acre lot. All along Leeland Road, there's 18 three acre lots. So, we talked before about showing you that very first map how there's a neck for this USA in which there's a circumstance that anything that's developed in this particular peninsula of the USA would have to be a boundary property. And so, it just doesn't seem realistic to align with the Urban Services Area requirements for sewer and water and then requiring those higher power lot size. It's not something that would ever pencil out.

Mr. Apicella: Yes, Ms. Sellers.

Ms. Sellers: Well, so we went from 7,000 square feet to one and a half acres. Can somebody tell me like, can we compare apples to apples here? Some of us struggle with one unit of measure. So, what is that? Because you use for this development you said it's 7,000 square feet, but then you said the recommendation is 1.5 acres. Well, I don't understand. Sorry, I'm gonna need a little bit more information.

Mr. Zuraf: Yeah, seven acres is equivalent to about 0.15 acres. Seven thousand square feet is equivalent to 0.15 acres and so the Comp Plan recommendation is for .5 to 1, like a range from half an acre to one acre.

Ms. Sellers: And this one is saying...

Mr. Zuraf: Their proposal is 0.15 acres lot size. Less than a quarter acre.

Ms. Sellers: Okay. Okay. Thank you. That helps. And the square foot that we're talking about is the total lot size, not the size of the house that's gonna sit on the lot. Okay, okay. Okay. I think I got it. Some of us are a little slower than others.

Mr. Apicella: So, I think I heard you say earlier that you didn't choose R-1 because you wanted to do an age restricted community and you're not allowed to do age restricted under R-1. Is that correct?

Mr. Hicks: That's my understanding.

Mr. Apicella: Did you consider though doing just an R-1 single-family development non-age restricted?

Mr. Hicks: Not with the water and sewer requirements.

Mr. Apicella: Because there's a huge expense?

Mr. Hicks: Great expense. We're talking about pump station. We're talking about in excess of a million dollars.

Mr. Apicella: Okay. You did make a reduction from 179 units to 141 units. I don't know where that happened in the process, whether that was recent or a year ago, two years ago. Again, there's still some

Planning Commission Minutes
January 10, 2024

concern about the number of houses, at least from residents' perspective. Is there any possibility of any further reduction that could still be economically feasible for you?

Mr. Hicks: Very, very nominal modest reduction, if at all.

Mr. Apicella: Okay. So, staff mentioned two items that have been proffered that they'd like to see modified. The bike path, I think the issue there was the GDP says one thing, and the proffer says something else. And with regard to the sewer pump proffer, you're proffering a specific gallons per minute, staff would prefer something a little more flexible. What's your take on those two proffer issues.

Mr. Hicks: Easy fixes.

Mr. Apicella: So, you're willing to make those changes?

Mr. Hicks: Absolutely. Those are more clerical than anything else to us.

Mr. Apicella: I know there were some chuckles when I brought this up. But it is a serious issue, at least from what I've read, that pickleball does create a lot of noise and could drive people crazy, especially for folks who are very close to it. Is there anything that you thought of to, if you're going to move forward with the pickleball striping, is there anything you've thought of that you can do to mitigate that potential concern?

Mr. Hicks: We honestly anticipated that Hickory Ridge was far enough away that it shouldn't be disturbing. There's significant tree cover between the closest house in any development that occur on our property. Internally, and the interior, the development stuff, we certainly talked about landscape screening that could also provide some sound buffering in the vicinity of the courts.

Mr. Apicella: So again, in terms of proffers, that might be something you want to think about. Is there anything else you think you could do to further mitigate the impacts of your project on your neighbors, either globally, or specifically, and I'm gonna raise one in particular, if you can bring up the GDP.

Mr. Hicks: And quick answer your question, we could withdraw application. That could work.

Mr. Apicella: There's one parcel in particular that I think is, in my view, looking at it, probably more impacted than anybody else. And I just want to see if we could pull it up. So, kind of hard to see from here. And I apologize if I'm not saying the name correctly, but the Diehr family, while there's a lot of houses that are going to be abutting property, and there's, you know, some landscaping buffer on the northeast quadrant, but on the northern quadrant, but to the northeast, just looks like there's going to be a fence there. So, I don't know what your conversation was, what was the Diehr family, but is there anything else you could do there?

Mr. Hicks: The Diehr have been great. Mr. Diehr, and I've had several conversations. He's a good man. That was what he requested. We sat down as an open book with each of these individual neighbors and said, What are you dreaming of? What would you want here? Less us not being here, anticipating that, what would you like? and Mr. Diehr was insistent on the privacy fence.

Mr. Apicella: I got it. But from your vantage point, irrespective of just putting the fence there, is there anything else you can do?

Planning Commission Minutes
January 10, 2024

Mr. Hicks: I imagine we could put some vegetation along there. But yeah, sure, we could probably put some vegetation along in there.

Mr. Apicella: I would ask you to at least consider it because the Diehr family may not always be living there. Somebody else might purchase that property somewhere down the road.

Mr. Hicks: He expressed an indication to possibly develop the back end of his property.

Mr. Apicella: Okay. Last question for me. So, if the Board of Supervisors, we just make a recommendation, it's up to the Board of Supervisors to decide whether or not they want to approve the project. If they do approve it, what is your build out schedule?

Mr. Hicks: We're probably once approval occurs, we're probably looking at 36 months.

Mr. Apicella: Okay. That's it for me. Anybody else have any other questions? Alright, thank you, sir. You'll have an opportunity to respond to the comments from the public. Okay, so I'm going to open the public hearing on this matter. This is an opportunity for the public to comment on the rezoning and CUP of Clift Farm. Before starting your comments, please state your name and address. The clock starts when the green light appears. Yellow means there's one minute left. Red means your time is up. I do have a number of comment cards. So, I'm going to start with that and then if anybody else wants to speak, we'll entertain that as well. So, the first person I have a speaker card from and, again, I'm going to apologize in advance if I mispronounce your name. I think I got this one okay though, Mr. Scott Huff.

Scott Huff: Good evening, Scott Huff, 20-year resident. Mr. Chairman and members of the Board, thank you for the opportunity to speak tonight as part of the CFR group. I initially got engaged with this group, because some dear friends of mine are directly impacted by this zoning reclassification and development. But after really taking a close look at their detailed analysis of the GDP, it was very evident that this community or proposed development would have a significant impact to residents such as myself that are up to almost two miles away, specifically in the area of traffic and transportation. So, I think it's fairly safe to say that I'm vehemently against this particular zoning reclassification, as it creates a negative impact to the area roads, specifically Morton, Primmer Road, excuse me, Layhill, Leeland and Deacon Roads. And if you've spent any time on those roads here lately, it is evident that they already suffer from significant congestion and further development in this area presents safety concerns for residents, namely in responsiveness of life saving emergency services. It was interesting to sit here and listen to some of the briefings tonight from Mr. Zuraf and JPI. And by evidence of their proposals, it was pretty obvious that the scope of the traffic surveys that were completed, are completely inadequate and I would draw into question some of the thresholds that VDOT and the County are using to determine whether traffic surveys were necessary, or the scope of those surveys in general. I'm also very concerned about the proffers and how they do not adequately mitigate some of these negative impacts that we just talked about, and a lot of the factors that some of our other colleagues within the CFR group will be presenting tonight. So, in closing, I'd like to just ask the Planning Commission give this some very thoughtful consideration and reject this zoning reclassification request. Thank you for your time and attention.

Mr. Apicella: The next person I have is Mr. Tim Diehr.

Tim Diehr: Good evening, my name is Tim Diehr. My wife Laurie and I live on Clift Farm Road. My family moved here in 2017 to enjoy the beauty, serenity, peace and open space of this area. Looking at the proposed diagram, you'll notice the highly compact development with its 1/10 acre lots surrounded

by large multi acre single-family rural home sites. This proposed development is directly across the street and on the side of my eight-acre property, which is signified by the green border. The border in red signifies the 6,000 lineal feet of the proposed development that impacts 17 A-1 zoned properties that are primarily outside of the Urban Service Area. The yellow border signifies where the proposed development abuts the R-1 zoned Hickory Ridge community mostly impacting open space, and only two single-family homes on 1/3 acre lots. Hickory Ridge is further separated from the proposed development by a minimum 400-foot-wide patch of woods that are in a resource protected area. JPI proposes to buffer the established surrounding rural home sites including mine, with a six-foot wooden fence and 25 feet of screening bushes and a few trees. Furthermore, where the sidewalk dead ends into my property is because my property runs into the middle of Clift Farm Road. In their application, if approved, JPI is requiring the County to enforce eminent domain should I refuse to negotiate to an agreement for easement, Oh, and JPI will generously foot the County's legal costs to do it. This leads me to believe that my land could be taken at some point in the future. I'll leave you with one last thought of retrospect. As it sits the property is designated and named Oak Knoll Farm. If this project is approved, and when the development is completed, and if all the property owners that surround the 6000 lineal feet of the development decide to raise livestock, like cattle, horses, hogs, chickens, guineas, how will the County explain their decision to the 141 homeowners when they start complaining about the noise and the fresh country air, that they did not sign up for. If that doesn't speak to the drastic misalignment of this development to the County's Comprehensive Plan that my neighbors are about to give you many more reasons of how it does not. It truly is mind boggling that we are here discussing a rezoning for this type of R-2 urban development, smack dab in the middle of farmland. And one other thing I'd like to say. It's not fair that we were not allowed to give our presentation. But Mr. Zuraf and Mr. Hicks were. Thank you

Mr. Apicella: Thank you, sir. Mrs. Abby Carter.

Abby Carter: Good evening, ladies and gentlemen. My name is Abby Carter. My husband and I own a property abutting the proposed development and have many of the same concerns as our neighbors regarding this proposal, but I will speak this evening about how it will affect our property and our lives. First, the GDP shows that there will be an inter-parcel connector directly facing the front of our house. While JPI has agreed to maintain the natural buffers, our hedgerow of mature trees and undergrowth on some of the maps that I have seen a portion of this hedgerow is removed at the side of the connector. This would leave us in full view of the multitude of homes planned and easy access by residents to our property and our driveway. The maps also showed the right of way for this connector extending nearly all the way across our neighbor's driveway which is already an easement through our property. These concerns have not been addressed. Regarding the T turnaround designed for the end of the street that would dead end at our property VDOT has already expressed concern that this does not meet their standards. JPI responded quote "the proposed branch turnaround shall be designed to adequately meet VDOT standards at the time of site plan design." If they already know what will meet the VDOT standard, why not design it that way to start. Maybe JPI hopes to delay addressing this issue until after the rezoning decision when it's too late for us to say anything else. This project will likely cause issues for those of us on adjacent properties who have wells, leading to contamination, degradation of our only water supplies. Our neighbors well sits less than 15 feet from the shared property line of the proposed housing estate. How is this to be addressed? Imagine choosing to live and residing in a place for years, where there is low to moderate noise pollution and light pollution. And suddenly, you aren't just getting one or two new neighbors as would be the case with A-1 or A-2 zoning or R-2. R-1 zoning but 141 densely packed houses with a multitude of outside lights out all night, the noises of hundreds of people going about their lives, the traffic noise generated by garbage trucks and delivery vans, the endless hours of landscaping equipment and so on. We the human residence and the wild residents as well will lose

Planning Commission Minutes
January 10, 2024

our sustaining rural area. They say that fireflies are a metric of healthy land. We have an abundance of them in the summertime. This proposal will destroy this healthy land with its urban density and all that comes with it. This proposal is not compatible with the existing properties and certainly does not provide current owners with any benefits, only noise and lights and traffic and loss of rural nature.

Mr. Apicella: Ma'am, your time is up. Mr. Kevin Walz

Kevin Walz: Good evening. My name is Kevin Walz. A key component of the other review that my constituents and my neighbors did in this application was to examine the alignment to the Comprehensive Plan. As described in the County's website, the Comprehensive Plan is arguably the single most important document in the locality besides the County codes. It establishes goals, objectives and policies that shape the future direction of the community as it relates to physical development of land. Section eight specifically, use of land plans, it tells us as the public, use the plan as a reference when making investment decisions or properties for residential locations and to evaluate the effectiveness of local government. On page 356, of the Comprehensive Plan, Section 3.6 talks about future land use and suburban areas are defined. Areas where suburban scale of development is most appropriate. We evaluated against six criteria identified in the Comprehensive Plan. One - single-family dwelling units. They got it right. Okay. We can't dispute that. Half to one-acre lots, quarter to one acre lots are larger towards the boundary of the USA. They didn't get that right. In fact, the boarding properties are the boundary of the USA. It should include community amenities buffered from adjacent commercial developments. They got that right. There are none. Lot sizes less than one quarter acre may be supported if located adjacent to higher density residential or commercial developments. They did not get that right. All the adjacent properties surrounding this development are lower density residential home sites. Number five, it's intended to serve as an infill development in proximity to major existing planned transportation. Can't argue that fact either. They got that right. Last but not least, focus should be on the form of development and relationship with existing communities. That they did not meet. This Clift Farms community is a rural agricultural community with large homesites. We have also identified at least 58 policies, objectives, goals and specific areas of the Comprehensive Plan where this project does not align. And I'm here to tell you we have provided our findings for this Commission for further review. Thank you.

Mr. Apicella: Thank you, sir. Paula Steven. Did I not get your name right?

Lee Steven: I'm Lee Steven, my wife will go after me. We reside on Clift Farm Road where we have been since 1998, 26 years. I will be directly affected by the proposed rezoning and development plan and I oppose it. In support of my opposition I remind the Commission that the current Comprehensive Plan requires you, the Commission, to quote "measure the desirability of proposed developments by their conformity with the plan." Now, as you know, the proposed rezoning is from A-1 agricultural to R-2 urban residential, medium density. But under the Comprehensive Plan, it is not appropriate to put an R-2 urban zone smack in the middle of a surrounding area which will remain in the A-1 agricultural zone. Indeed, the plan expressly states that it is a policy of the County to quote, "promote open space conservation designed to preserve the rural heritage of the community and enhance overall quality of life." Similarly, objective 2.6 of the Comprehensive Plan states at the County will preserve rural and agricultural areas of Stafford County and established mechanisms for ensuring their continued protection from development. Now one of the plans principle mechanisms to accomplish this goal of preserving rural and agricultural land is the creation of five targeted development areas or TDAs, which superseded the targeted growth areas, TGAs under the previous Comprehensive Plan. TDAs are the areas of the County that have already been identified for a concentrated urban or higher density or suburban development pattern. The plan states quote "TDAs provide for concentrated areas of development, rather

Planning Commission Minutes
January 10, 2024

than distributing future development across the Urban Services Area and agricultural/rural areas.” But that unwanted distribution across agricultural and rural areas is exactly what would happen if the subject property is rezoned R-2. The property is not part of any TDA or even any previous TGA. The nearest TDA, in fact, is about five miles away. The subject property is a farm, as you've heard. It is rural. All the land around it is rural, anywhere from three to 10 acres of lot sizes. None of that land has been marked off or identified as a proffer site for urban development either under the TDA designation or any other criteria identified in the Comprehensive Plan. The area is completely disconnected from transportation hubs with the exception of the VRE, from retail shopping, restaurants, parks and recreation and everything else characteristic of the TDA and the purpose of R-2 zoning. Now, I will end by quoting section 6.1.2 of the Comprehensive Plan which states that for any requested zoning change to be approved quote “the zoning change must not adversely affect the character, the character of the area in which it is located.” But that is exactly what will happen if you rezone this property to R-2. Your recommendation to the Board...

Mr. Apicella: Sir, I'm sorry. Times up. Mrs. Steven.

Paula Steven: My name is Paula Steven and I oppose the rezoning. As the Commission is aware, your staff prepared a report in which it recommended the Commission defer its decisions concerning the requested rezoning. Among its concerns, the staff report identified the fundamental problem, namely, the development would be too dense for the location. Specifically, the report explains that the Comprehensive Plan does not support the development because quote “the typical lot size in the project is 6,600 square feet or 0.15 acres,” unquote. Whereas the Comprehensive Plan calls for larger lot sizes of one half to one acre at a minimum because quote, “the project site is located along the boundary of the USA,” end quote. This problem is even more egregious than the staff report suggest because all the adjoining properties in this particular area are greater than the mentioned one half to one acres. The residential properties and the surrounding community are all zoned A1 and range from three to 10 acres. Allowing homes on 0.15 acres would destroy the very nature of the existing community and violate the County's policy as set forth in the Comprehensive Plan of preserving rural and agricultural land. That result must not and cannot be allowed under the mandates of the Comprehensive Plan. As policy 211 of the Comprehensive Plan states quote “proposals that are inconsistent with the Comprehensive Plan should be revised or denied,” end quote. The proposed development violates other provisions of the Comprehensive Plan as well as the neighborhood development standards plan such as. Others here tonight we'll discuss how the proposed project violates the plan senior housing design. I'll just add that one of the provisions of the neighborhood development standard plan states that the senior residential projects like this one should be sited in quote, “established and planned communities with public services and shopping opportunities.” There are no shopping opportunities and public services in this area. It is accessible only by car. It is a farm. It is entirely rural. To allow this high-density urban development on this particular property would be to destroy the existing community and forever, forever take away the beauty of 56 acres of open agricultural land from the County. The proposed development goes against the policies and it should be of the Comprehensive Plan and should not be allowed. Thank you very much.

Mr. Apicella: Thank you. So, I'm gonna ask folks, we've got a number of additional speakers on our speaker cards. If folks could line up. I've got next up, Mr. Guffey, and Mr. Rolette then Miss Lewis.

John Guffey: I'm John Guffey. Anyway, I thank you for entertaining public comments on this development. The proposed Clift Farms development and surrounding area meets the criteria under Federal Regulations Title 36 for Protection of Historical Resources. Accordingly, the Stafford County Comprehensive Plan policy 9.1.3 states applications for reclassification, conditional use permit,

Planning Commission Minutes
January 10, 2024

preliminary subdivision or site plan should determine the presence, extent and significance of Heritage Resources and prepare follow-up archaeological and or historic structures reports. Leeland Road itself was built on the original Richmond Fredericksburg and Potomac Railroad bed. Stoneman's Station was located at the intersection of Leeland Road and Clift Farm Road. The station was a flag stop on the US military railroad. It was established in November of 1862 to supply the nearby camps of Union General George Stoneman's Third Core. It occupied both sides of Leeland Road, as illustrated in the picture that I'm sure you've all seen. It was the front page of the Free Lance Star yesterday. It grew to include a supply depot, two canvas-roofed platforms, two sidings, two sheds, a converted railroad car office, a bakery, tents, encampments and a cemetery. In transporting supplies and men the army crossed the Potomac Creek Bridge and followed the RFP railroad bed up to what is now the Clift Farms. Along the road from this station to beyond the bridge are trenches and artifacts from skirmishes from around the bridge. The site is significant for its part in the Battle of Fredericksburg and as one of the first uses of trains in war, which changed the way wars are fought. During Lincoln's April 1863 visit, he met the troops in the hospital tents located at the station. We've been in contact with the Virginia Department of Historic Resources. The 2007 Phase I cultural study for the proposed development area must be updated and include the full 56 acres of the CFD project. The Planning Commission cannot go forward with rezoning until Phase II of cultural resource study is completed with the assistance of DHR. Currently, the Comprehensive Plan does not comply with its own policy 913 nor does it include...

Mr. Apicella: Sir, I apologize. Your time is up. Thank you.

John Guffey: ... DHR categories such as railroad beds, depots, battle sites, transportation landmarks.

Mr. Apicella: Thank you. Mrs. Rowlette

Natalie Rowlette: Good evening. Thank you for hearing us tonight. My name is Natalie Rowlette. I live in the Falmouth District and I'm opposed to this rezoning. Tonight, I'm discussing the inadequacy of the JPI transportation proffers and the proposed development on Clift Farm Road. I'd like to draw your attention to a couple of issues that have been touched on tonight but I'm going to talk about them again. The first is the limited road improvements proposed by JPI in the GDP in front of the Diehr's property and alongside their own development. It is not likely to be accepted by VDOT site design and it creates the risk of litigation and the condemnation of the Diehr's property, which is just not right. Multiple issues were identified by VDOT with the Clift Farm Road and Leeland intersection and are not addressed in the proffers. This includes VDOT's request for additional land dedication to straighten the intersection angle and provide sufficient space for all turning traffic and school buses. JPI stated their age restricted community has no need for buses and consequently did not submit a turn stimulation or plan to correct the intersection. However, County school bus transportation must be planned and available on all County roads. Moreover, Jay Hicks stated at the December 2023 community meeting that as far as JPI knew the School Board still intended to build a school at the end of Clift Farm Road. If this is in fact the case clearly the proffer offered by JPI to paint lines on this road instead of correcting this intersection is unacceptable. As shown in the pictures of your binder JPI is proffer to remove vegetation along Leeland Road is not going to address the steep embankment which prohibits the site when you're looking to pull out on the road and it's going to create more problems with erosion and sun glare. We've also talked tonight about the termination of the multi-use path before Morton Road. It creates danger to cross Morton Road and continue the .3 miles to reach the VRE parking lot entrance. Again, pictures provided show safety concerns for pedestrian traffic. Additionally, the maintenance and lighting of the multi-use path is not addressed, nor is the lighting at the intersection of Clift Farm Road and Leeland Road. I'm still confused if JPI formally submitted the most current TIA to VDOT. Their previous TIAs were conducted during the pandemic when traffic was significantly decreased. But yet these older TIAs are referenced

Planning Commission Minutes
January 10, 2024

in the GDP. Why are we using two-year-old data when there was a more current TIA that was conducted this past Spring in 2023. Failure to address road concerns and safety...

Mr. Apicella: Sorry, times up. Thank you. Miss Julia Lewis, and I'm also going to ask Corey Johnson, Peter Rhyne and Jim Challender to please get in line.

Julia Lewis: My name is Julia Lewis. I'm addressing the senior housing standards. JPI says this is a 55 plus community and it's a bunch of old folks sittin' around enjoying retirement. Where in reality these seniors are still actively working. They are the sandwich generation having caregiving duties. Once a parent always a parent, giving their kids a safe place to live, caring for elderly parents who move in with them or raising their grandchildren when their parents are deployed or aren't available. What we really need is multi-generational housing to serve families with the growing trend to up to four generations living in one home. JPI states the HOA will be responsible for enforcing the policy of no children. Now seriously, come on guys. It's expensive for HOAs to enforce this and you have the Fair Housing 80/20 rule. This financial obligation for the HOA could eventually add to the burden of schools when they just ignore that kids are living there. There's lies, damned lies and statistics. This applies to the math JPI is using to paint a picture of spaciousness, like Hickory Ridge and Leeland Station, when in fact their proposed homes are all crammed together like sardines. The Comprehensive Plan has minimum standards for access to these things that they say are important. JPI can't even do the math there either. So, look at the chart. In comparison, England Run and Embrey Mill have exceptional choices. It's true, location, location, location. Speaking of location, Stafford County has an interesting history with 55 Plus in our backyard. Just 10 years ago, a new developer took over the already County approved age restricted commitment and Leeland Station the developer played Let's Make a Deal with the Board of Supervisors and got them to drop 118 age-restricted in exchange for a 64 non-restricted which added up to 110 more kids in our crowded schools. Boom! See a trend? JPI is the second developer on this project too. So, let's talk amenities. See the table comparing spacious Leeland Station to its poor cousin, Clift Farm. Nothing to brag about there. JPI is also passing the financial burden of landscaping to the HOA. Oh, come on, JPI show us the money. I'm asking you to force them to pay up front for this and to ensure that the new homeowners aren't stuck living on a barren clear-cut piece of farmland, also guarantee professional management of their HOA so it can guide these busy new homeowners to make the best decisions and pay their bills the way JPI is racking it up for them. Thank you.

Mr. Apicella: Thank you. Corey Johnson

Corey Johnson: Hi, I'm Corey Johnson. I live on Clift Farm Road. Been there for almost 50 years. My land and my father's land borders the 181-acre property that the County, I'm sorry, the School Board purchased in 2006. This property was proposed for the site of the new school but has since been built at its current location on Enon Road. In the 17 years since it was purchased. We have anxiously waited to hear what the School Board plans for this property. We have met with our School Board Representative Dr. Sarah Chase, presented at School Board and Board of Supervisors meeting, discussed with Stafford County Public School representatives and spoken to Ms. Meg Bohmke, our Board of Supervisors Representative. Our group engaged you, the Planning Commission, in length during the 2021 Comprehensive Plan update. We sincerely appreciate the extensive discussions you had in multiple Planning Commission's meetings during the month of September 2021 and your sincere attempts to address our concerns. Unfortunately, the ultimate approach did not resolve the School Board's lack of planning for this site and its impacts to necessary Comprehensive Planning for the area. Despite repeated inquiries, we still are no closer to having an answer on the plan for the school property. As stated earlier, JPI has designed a pump station to support future development on that property. And we fear that this will most definitely lead to future development on this property. We also feel our concerns about this

Planning Commission Minutes
January 10, 2024

development regarding the high number of homes and how they impact us on Clift Farm have not been addressed. We are asking you, the Planning Commission, to deny this rezoning application as it its approval creates serious impacts for residents of Clift Farm Roads, other area resident, the County and all existing Stafford County taxpayers. Thank you.

Mr. Apicella: Thank you, sir. Mr. Peter Rhyne.

Peter Rhyne: I'm sorry, you guys are so tired but thank you. Good evening members of the Planning Commission. My name is Peter Rhyne. Our family moved from Garrisonville in 2021 to Falmouth to enjoy the beautiful views, homestead lifestyle and watch our five children grow up in a farm style setting with fresh air and good clean fun. Bob came over with his tractor and we learned about this proposed development shortly after moving in in 2021. We scrambled to understand it along with our neighbors along Clift Farm Road to grasp the full extent of the issues at play. We were dismayed to see that this would affect not only our personal use of our land, but also the County management and public policy governing Stafford County for the future. Together with our neighbors we dedicated hundreds of hours to educate ourselves and engage with our representatives and public officials. We lost many weekends, sacrifice time with family and friends during holidays, to walk on foot, in the cold, in the rain to educate the community. We covered neighborhoods along Leeland Road, Morton Road, Leeland Station, Hickory Ridge, Potomac Run, Primmer House Road and more. Now our goal was to fully inform our neighbors not to coerce or manipulate their views. Usually it took only about 30 seconds to mention how many houses and they said "no way". It was clear. We didn't just ask for a signature. We took the time to give a detailed overview of the flaws and ramifications of the proposed development and we encourage each to contact their governing representatives and learn more, not just take our word for it. And their responses were overwhelming disapproval to this proposed development. Many wondered why they hadn't heard anything about it, even though this development could potentially impact them for years to come. They were grateful that we had shared the information and donated their time and hard-earned money and support. We are so thankful for each one here today. The constituents were from every demographic group from new to long standing homeowners, including minorities, those fresh out of college, couples, families with children, singles, retirees and grandparents with grandchildren living in their homes. And the response was the same. No, this area is a poor fit for this development. No, the roads aren't adequate. No, I'm working at 55 and older. I'm not retired. No, there are too many cars on the road. No, there are no safe places to walk on these roads. No, we don't have the amenities we need. No, we don't know what this is going to cost us in taxes. In fact, over 99% of local respondents are strongly against this rezoning. Falmouth residents understand that this area will continue to grow. It's the DC area. But what they are against is the fundamental consequences of not following the Comprehensive Plan. It will result in reactive versus proactive governance and create an environment for opportunistic parties to take advantage of the system and exploit Falmouth, Stafford County and its residents. We ask that the rezoning and use permit be denied to protect Falmouth and Stafford County.

Mr. Apicella: Thank you, sir. Okay, next up I have and I'm sorry if I'm not pronouncing this right, Jim Challenger.

Jim Challenger: Actually, you're the first person in my life who has actually gotten it right on the first try so thank you for that. I never get that. Good evening. My name is Jim Challenger and with my wife Tiffany. The three minutes speaking limit, I will only be able to address one of the eight concerns we have with the proffers. The rest are all in those binders. So please take a look at them. All of our concerns deal with improving the specificity, which I heard that word earlier tonight, by the Commission, transparency of the proposal, minimizing the risk to Stafford County, the neighbors adjacent to the proposed development and future possible development residents as well as improving the enforceability

Planning Commission Minutes
January 10, 2024

of the generalized development plan. A significant concern is the misleading proffer for the Clift Farm pump station, its proposed service area and its connection to the County sewerlines. The proffered capacity of pump station makes no sense as it proposes 67 gallons per minute for a 57-acre development. Yet only 31 gallons per minute for an additional, as the applicant addressed earlier, 80 to 90 acres. That's 40 to 57% larger service area, but 50% less capacity of the pump. It makes no sense. Additionally, where the sewer will connect to the Claiborne Run interceptor is ill-defined and there appears to be no coordination with the utility department or other possibly needed entities such as CSX. Next, the inclusion of a condemnation clause requiring Stafford County to provide a right of away or easement for the sewer system is a clear and present danger to all adjacent landowners. Finally, a pro rata share agreement between JPI and Stafford County is included. How does the County know the costs, risks and impact of this pro rata share agreement without sufficient details? We disagree with the staffs' recommendation to make the proffer less specific about the pumping capacity until the time of the site plan. By time site plan review occurs the horse has already left the barn and the County is exposed to great financial and legal risk. The County should require greater specificity and not accepted generic offer for the sake of expediency. Failing to plan is planning to fail. Some of the other proffer concerns have already been discussed. The rest remain in the binder. I will take the time since I have one minute left to make an exception here. Mr. Tim Diehr is too much of a gentleman to say this, but I will. He did not accept the proffer of the board on board fence around his property. In fact, none of the adjacent property owners have accepted screening in the buffering with the exception one person, Miss West, who's 90 years old, and probably cannot see that far from her house to even see the fence. But as the Board brought up, what about if they want to sell it in the future? Nobody wants to see a board on board fence. I don't care whether you live in the farmland or even in a neighborhood. Thank you.

Mr. Apicella: Thank you, sir. So, I've got Mr. Bob Rowlette, Randall Burnett and Linda Burnett to please line up. Mr. Roulette.

Bob Roulette: Okay, Thank you. Good evening Commission members. I'm Bob Roulette and my wife and I live in the Falmouth District. Our property is directly impacted by this proposed development. I mean, we certainly empathize with our neighbor, Miss Flippo. But she's had the ability to sell that property from day one. I thank Mr. Mike Zuraf, who's tried to be responsive to our information requests and to accept the public's input to these applications. We all recognize and truly appreciate the highly challenging environment confronting the planning department from data centers to developments. Thank you, Mike, for your dedication. We appreciate it. Having said that, the standard analysis provided with these applications failed to provide the Planning Commission with a clear understanding on the risk, cost issues and impacts plaguing this project. This place is both the County and the public at risk. The analysis contains multiple contradictions, including the suitability of urban zoned retirement housing located inside a rural community. It fails to adequately address compliance to County codes and plans such as the Comprehensive Plan. You've heard the public speak tonight and provided further detail in the binders. Our goal has always been to provide objective analysis to enhance County, Planning Commission and the Board of Supervisors decision-making. We regret we lack the ability to provide presentations to the general public as well. We've tried for more than three years to work with JPI to address multiple issues and concerns. What has not changed is JPI's flawed decision to try to build a highly compact retirement community, virtually surrounded by a rural community. The R-2 and the A-1 districts are highly incompatible and create great risk to the property rights of all who call this area home and negatively impact all residents in the surrounding area. When presented with an issue, JPI continually modifies their plans just enough to skirt the issue and try to jump just a little bit higher to get over the hurdle. As an experienced developer with multiple projects in the County, JPI knows County development requirements. They should do better and we demand it. The public places great trust on our County Commissioners such as you and the Board of Supervisors to be fair and responsive and be the gatekeepers

Planning Commission Minutes
January 10, 2024

keeping them out, looking out for the public's best interest while trying to balance the demand of growing vibrant County. We ask that you send a clear unequivocal message with your... *inaudible*... recommendation to deny the rezoning to R-2 and the conditional use permit of the Clift Farm project. Thank you.

Mr. Apicella: Thank you, sir. Randall Burdette.

Linda Burdette: Linda Burdette. I'm the president of the homeowners' association of Dogwood Air Park. The proposed development lies under our traffic pattern. The primary threat to general aviation in America today is people buying or building homes and businesses knowing full well that an airport is nearby and then they complain about the airplanes. Airports which have been in place for decades have been forced to change their flight procedures, their approach pads, and even close because of complaints from such neighbors. Jarrell Properties has offered to include in the community declarations a statement that the Clift Farm development is in close proximity to two airports and we truly appreciate this. But it does not guarantee that we won't have issues. Community declarations may be rewritten and no one can ensure that this information will remain available to the homeowners and it does not give the Air Park any legal standing or legal right to protect our way of life. So, I am asking for an aviation easement for the airspace over this development. Aviation easements are a relatively new legal document, but they've been used successfully in Virginia, especially in the Newport News area with respect to Naval aviation activities there. They do not interfere with the property owners use of their property because they apply to airspace above a certain altitude. In this case, we requested an easement for altitudes at or above the FAA minimum safe altitudes as set out in the Code of Federal Regulations. These are the altitudes that airplanes are authorized to fly normally and for the Clift Farm area that altitude is 500 feet above ground level. This should not interfere with anyone's trees, satellite dishes, antennas or other household accessories. Like other easements an aviation easement is filed with the County and it runs with the ownership of the property. It would be included in any title search and would be ample notice to current and future owners about the existence of the airport. The developer has declined to consider this aviation easement preferring to rely on community declarations. Dogwood Air Park has been an operating airfield for over 50 years, established in 1970. We at Dogwood want to be good neighbors. Our pilots often adjust their flight plans to avoid schools and neighborhoods. But as developments arise around us that becomes more and more difficult. We will do everything we can to minimize the impact of aviation on our neighbors. But we respectfully request that we be given the protection of the aviation easement to counter the impact that developments could have on us. Thank you.

Mr. Apicella: Thank you. Mr. Burdette.

Randall Burdette: Good evening, Mr. Chairman and members of the Commission, Randall Burdette. I'm a resident of Dogwood Air Park since 1992, and I've also had the honor of serving four governors; Governor Warner, Kane, MacDonald and McAuliffe as the Executive Director of Virginia Department of Aviation, a position I held for almost 14 years. I now serve as the Chairman of the Virginia Aviation Board, responsible for aviation policy and funding under Governor Youngkin. Dogwood Air Park was founded in 1970 and has remained in operations as an airfield ever since. It has a 4100 foot newly repaved runway with a pilot control lighting. We are a small airport. Our airplanes are generally small single-engine airplanes, which seat two to six people, normally family members or friends. We from Dogwood Air Park are here tonight to work with the County to ensure any development and the future residents of that development are informed of the proximity of both Stafford Regional Airport and Dogwood Air Park. We have to take the appropriate steps now to ensure we can both enjoy our properties, minimize any potential for misunderstandings and protect our property values. Our proposal for an aviation easement helps in all these areas. I am very familiar with aviation easements, having been the Director

Planning Commission Minutes
January 10, 2024

of Aviation when the aviation easements were utilized in Virginia Beach with the Naval Air Station Oceana and the local residents in 2005. Aviation easements are supported under the Code of Virginia 5.1-32 titled Easements and Privileges Outside of the Airport or Landing Field Boundaries. Aviation easements are used across the US informing the public, protecting the airports and ensuring airport access as prescribed by the Federal Aviation Regulations. These easements work very well to inform residents and potential residents of the nearby airports and their operations. By doing so, they help protect the community and airports from noise complaints and lawsuits. While they are minimal impact on the homeowners they are vitally important to the airports and the communities they serve. I strongly recommend that we in Stafford County normalize the use of these aviation easements now and in the future that you require developers that are in these close proximity to the airports issue aviation easements to the two local airports. We'd be glad to work with the County Attorney to ensure the wording provides the appropriate resident notification and production for both airports. We would also be glad to fly the staff to see the traffic pattern over the proposed development. We have provided developer navigation easement for their consideration. They have counter-proposed that they will acknowledge the two airports in the community declarations. The aviation easements are much preferred as they are recorded with the County, run with the deed and cannot be unilaterally changed or deleted. We asked tonight that the Planning Commission forward the recommendation to require aviation easements be provided by the developer. Thank you, Mr. Chairman. That concludes my comments.

Mr. Apicella: Thank you, sir. And I ask for the next three people to line up Katie Gilley, Sam Wang and Martin. I'm sorry, I can't read your last name on Rebel Road. Good.

Katie Gilley: Good evening, Katie Gilley. I am in the Dogwood community. I'm a 22-year resident of Stafford County. And I want to thank you all for your time. I've sat here and listened to everything tonight. I'm here to support the community and to defend Dogwood, which has been in place since the 70s as the two people before us have mentioned. I would ask the Board to completely process and digest today's statements and to look at the whole impact to our community. As I've listened to the information presented, there's significant holes in the proposal and bringing many important unanswered questions to this community. I ask that you take the time to really look at the major impacts and consider all of the residents that it does impact in this community. Thank you.

Mr. Apicella: Thank you, ma'am. Mr. Wang.

Sam Wang: Good evening, ladies and gentlemen, I'm Sam Wang. Here again, I will spend the next couple of minutes to answer three short questions. Who am I? Why am I here? And what is my position about the proposal? Again, my name is Sam Wang. I came to this country more than 30 years ago as an exchange student. Currently I work for the federal government. On my spare time I like to run. I run marathons. And I finish running at least one marathon in each of the 50 States back in June 2022. And now currently, I'm going overseas to run marathons. So, it gives me great opportunity to visit the Country and see how great this Country is. That brings me to the second question, why am I here? One of the reasons I decided to stay in this Country is the freedom to enjoy freedom expression to see how democracy works over here. I came from a Country where the government is authoritarian and the decisions are made from top down. So, citizens do not have much of a say as what policies are taking place. Over here I have enjoyed had the opportunity to go voting and express myself and I want to see if this actually works. I want to see if this actually popular opinions actually change the policy or is just a name on a superficial decision already made. And they gave you their platform for people to say something and then it's going to be that way anyway, this is made. But finally, my position on the issue is no. For the simple reason that we moved to this area to enjoy the surroundings and rural area, my wife and I lived in a house over 20 years already, and with two kids from their house, and they already on

Planning Commission Minutes
January 10, 2024

their own. And so, in conclusion, my three question, the answer is, I'm Sam Wang, and I want to see how democracy works over here and my vote is no. Thank you.

Mr. Apicella: Thank you, sir. Martin.

Martin Lemus: I have nothing prepared and some are elaborate statements were already done. I was impressed. But I guess just hearing the developer, I was not going to talk but I guess, hearing the developer talk and so forth and I'm thinking, well, first of all, this is a beautiful rural area and me and my wife moved over here about, you know, at least 2004. So, we've been here a while. This is a rural area, anyhow. I mean, no disrespect, but these micro lot encampments just don't belong here and to be honest with you these, they say that these are for seniors. I could never stick my mother or somebody over here. There's nothing to do over here. There's no facilities for buses. There might have a few local clubs within there, but the small lot sizes. Walking to the VRE, have you ever, anybody tried that before? Yeah, I've done that a few times and I'm almost, live to tell should I say? I don't know. It just seems like this senior plan so forth is basically a way to sidestep the limitation of, I guess, R-1 and R2, to get more bang for the buck, I guess, for the developer and so forth. That's about all I can say. I just kind of pissed me off and I just let you know.

Mr. Apicella: Thank you, sir. Lisa Nguyen, Ranjit Singh, and Nathan Halstead.

Mr. Apicella: Hi, I'm Lisa Nguyen. I'm really glad to be here to be able to speak up. That was my husband who just spoke. Anyway, we moved down here in 2000. We started building our house in 2003. But we moved down here officially 2005. And we moved away from Fairfax County because it was so overcrowded and they were building more. And we came down here to get more peace and more freedom, of being able not to be stuck in traffic. I'm worried and concerned that this development of being so many homes being developed together, will cause more traffic because we get already the backup traffic when 95 is backed up. And it comes through Potomac Run Road and it goes to Leeland Road and it backs us up. It also causes, we're worried about the swamp being kind of reduced, because the homes that are built across from where we are right now, we've already noticed that some of the water tables a little lower. And we're also concerned because our homes are on well. And would this affect our well water for the table because you're having so many homes being built? So, these are my concerns. So, I would I'm opposed to this whole thing. Thank you.

Mr. Apicella: Thank you, ma'am. Ranjit Singh. Okay. Nathan Halstead.

Nathan Halstead: Good evening. My name is Nathan Halstead. A couple of good points at the Commission. People were bringing up Miss Barnes. Commissioner Barnes, just to let you know, on page 17 of the agenda, it says eight minutes for the fire department to get to that area. Also, with all these houses getting developed has anybody thought of, there's no planning of widening Leeland Road down that way. I know I travel that my back way coming down from Quantico to get the Deacon Road, going Eskimo Hill, to Potomac Run. That road is very narrow, when we saw it during the storms and everything else like that. That road is so narrow that two cars passed by, as soon as you see a semi-truck come through that area, again, you're already over the line. So, I mean, there was no proposal for we even widening Leeland Road there. And then you're talking about putting a bike path on top of it. I mean, that's just risky already sitting there, along with the bike path. I mean, a lot of people have already said there's the VRE you're only going between two roads right there already. That's so short. I mean, might as well throw a rock over to the Morton Road. And like, yeah, that's your bike path. That's all that's there. I mean, at the age of 55, just like a lot of people say, everybody's still working. We're working to 67 for Social Security and everything else. They're gonna go to the VRE. So, a bikepath at least to go all the

Planning Commission Minutes
January 10, 2024

way there would be nice. Also, I mean, they talked about with, the staff talked about the 80/20 with the kids and everything else. We're short on our schools. Look at Conway. Conway already has trailers on top of it, that add kids into it. And we're building a new school. Down on the other end of 17 on the western side, and everything else, high school number six is getting put up. Now we're going to have high school number seven coming right around the corner with all this stuff. But last thing I wanted to add and everything else is saying is you got two things that's important right there. One thing that I love the most, I love around this area, is the historical marks. Alright, you put this place and you're destroying historical marks of the Civil War. Very important time in our history and everything else that created our independence for a lot of people and everything else. And that's going to away, which it shouldn't. You got George Washington's family boy home and everything else that's there. That's great for our kids to see and everything else. And the last thing is to preserve our farmlands. Hey, I grew up in the country. I love the country. This country needs to keep more country. That's how most of us kids learn how to work hard and learn to be the people we are today. Alright. Thank you.

Mr. Apicella: Thank you, sir. Okay, I've got next up James Hansen, Cathy Hansen, and Tim Hawley.

James Hansen: Good evening. My name is James Hansen. The northwest corner of our lot actually touches the proposed site. So, we are affected that way. I think, more or less, I'm more concerned with the travel on Leeland Road itself and the noise and the light pollution that would be created from this development if it were to go forward. Been at the site that we have we built back in 2002 so I've been there ever since. We have a good portion of our frontage is on Leeland Road. Prior to that we lived in the Heather Hills subdivision so I'm familiar with A-2 type, that's considered medium density, we understand that. And while I can only speak for myself and my family, we chose to live where we are knowing what we were getting into as far as farmland and with large lots. So, in that sense, kind of switching the goalpost mid-game here for people that are living in these adjacent areas and then trying to cram a high density or medium density subdivision inside of a rural area. I don't think that's fair to the existing people that live in the area. The one thing I wanted to point out though, is having lived on Leeland Road for so long and several of the presenters have already said the same thing but Leeland Road is actually a very dangerous road. It's very narrow. You have, at least on our side, you probably have a three-foot gully or ditch which is very unforgiving. The other side is not as bad but it's always filled with leaves and logs. So, it's, I mean if you get if you go off the edge there you're still stuck. I cannot count how many times I have personally witnessed cars in the ditch because once you get in that ditch, you cannot get out. And then the cars that I haven't seen there, I've seen the remnants of the cars that are there because you can see where the skid marks are actually on the road and actually in the embankment where it was pulled out. So, with the big trash trucks coming through there, with the added volume of traffic that's going through on Leeland Road, because that, I don't know if it's a shortcut now or not but definitely when, with all the introduction of the maps, you know, the different mapping apps that we have, I can tell firsthand when 95 or Route One is backed up because it's just a stream of cars. I cannot even walk out onto the road because I step out onto the road to avoid potholes, the muddy potholes and I have to wait sometimes a couple minutes just to wait the stream of cars to go through there. And so, if the development, I guess the representative for the development was saying, hey, this is a 55 but I don't know who would want to live in an area where there's no amenities and you're going to be on a very dangerous road.

Mr. Apicella: James, I'm sorry, your time's up. Thank you.

Cathy Hansen: Hello, my name is Cathy Hansen, and I was unprepared so I scribbled notes. We oppose the development. I appreciate the questions that you all have shown, or given, that show your concern with the effects of this development. It seems like you're doing your homework and that you are

Planning Commission Minutes
January 10, 2024

attempting to look out for the residence. I appreciate that Jarrell claims to not be greedy and that they incorporated options like screen and to keep a 300-year-old Holly tree and a hedgerow. I grew up in King George and got married, came, that that was my husband, chose Stafford to live. I moved into a townhouse development where I served in the HOA with Mr. Apicella. And it's good to see you up there. Townhouses are congested, we didn't want to live there. So, after our second child, actually, we drove around for two years looking for a spot for us to live and we found our little piece of heaven. We have raised five children with two still at home. We chose the character of this area to raise our kids and we've homeschooled them. We have watched Leeland Station encroach in this direction towards us. And I had four thoughts on this so, they don't run smoothly. But one, if this boundary, as they keep calling it, is developed, the boundary just moves further out and the potential to keep moving further out. The second thing I was thinking about was, it seems like we are trying to get Stafford County, and my brother lives in North Stafford he doesn't consider where I live to even be Stafford because he's a funny guy, but it seems like we're trying to make all of Stafford County just like Northern Virginia. The third thing is I grew up identifying the bridge to nowhere, if anybody's familiar with, yes. It was a landmark. It is now part of the Blue Gray Highway. It goes somewhere. That road to nowhere that Mr. Jarrell has there that's going to attach to my neighbors and then become part of our road as well. That's going to be going somewhere someday. That's why it didn't look like a cul-de-sac, it looks like a road. And then forgive me I don't mean to be too passionate. It's nothing against you all but I appreciate you listening. And then the fourth thing that I heard today....

Mr. Apicella: Cathy, I'm sorry your time's up.

Tim Hawley: Hi, Tim Hawley. I spoke to you earlier. Hope you all listen. I'm going to read number four first. Couldn't reduce number of homes in their development because it would have a loss of character. We are losing the character of our neighborhood. And I'll second that. Apart from everything that's already said, I wholeheartedly agree with everyone, what they've said and I appreciate the gentleman that, the tall gentleman that was here talking about what the developer is providing and everything, that's great, it's wonderful. We just don't want this in our area. I like the A-1 zoning, which is what it is right now, if I understood everything correctly. That kind of fits with our area. Once you allow a R-2 zoning, as other people have mentioned, you're going to have opportunities for adjacent properties, and they're going to start buying out these other properties. And people are going to sell because you know, they want to take the money and go somewhere else, because it's expansion of the urban environment. So, you have to be careful about that. You got to leave our area, A-1 or A-2 or whatever the designation is, leave it alone, please. The other thing is, if any of you have driven down that road where this you know, you can't ask a question of y'all but if you've driven down that area, there's a swampy area not far from there, down the road. And when I come home, or go out to get something to eat and come back with my family, every once in a while we go really slow through that area, not just because the traffic is terrible and these trucks are running people off the road. But because there's a bunch of eagles that that's their home, out there in the swamp. And they're beautiful. And every once in a while, you'll see five or six or seven of them sitting in the water on a log or something like that. And you just you go really slow, and unfortunately, there's only one little tiny area and some gentleman with a long telephoto lens is always parked there, so you can't pull over. If you're here, please give us a chance to pull in every once in a while. But I'm sure he's got a lot of video y'all can watch of these beautiful eagles and they fly over our neighborhood. They fly over. And sometimes you see them all around. Don't let us lose our wildlife. Because if you're going to have that development there, that's going to move those eagles out of that area. There's going to be too much disruption and they're not going to be comfortable where they are. Number one. There's a lot of deer that crosses in the area. And they're getting killed constantly by the traffic as it is. Thank you very much. Please, no.

Planning Commission Minutes
January 10, 2024

Mr. Apicella: Thank you, sir. Okay, I've got my last four speaker cards in this order, Mike Shields, Robert Flippo, Dale Flippo and Harry Flippo.

Mike Shields: My name is Mike Shields. And I never knew I had so many awesome neighbors, I mean seriously. This won't affect us as much as it affects the good folks on Clift Road and some of the other roads, but we're about a mile from the proposed development. And I just want to say that my wife and I, we're completely against it. The thing that strikes me the most is the subject of character. If this is, if you guys recommend that it is passed, the character will change in that area. And I mean it will affect that area dramatically in our opinion and also, you know, you need to take into consideration what effect it will have on the future. That's important as well. So, you know, I'm just here in support of you know, saying no to this subdivision.

Mr. Apicella: Thank you, sir. Robert Flippo.

Robert Flippo: Robert Flippo. I'm one of the culprits, I guess, that brought all this together. I hardly feel like saying anything. I feel for the neighbors. August 20th this year would be my dad's 100th birthday. He was born on the farm. I'm not sure how long my grandparents were there before that. We lived away, on Deacon Road for a few years, and then moved down to the farm in 1961 to help care for my grandmother. My dad died in 1979 with leukemia. My mother has been there alone since. Well, my grandmother's apartment, she's rented some, but she's taken care of the place. Farm girl from her youth and loved the outdoors and the farm. 14 years ago, she's began to get disabled. She's had to have caregivers for 13 years now and probably nine years 24/7. She's used up all her resources. It's always been her wish to die on the farm. And so we want to give her that privilege. And as the Lord said, early on in the history of the world, honor your father and mother. And so, we've sold off parcels, Mr. Rowlette, Mr. Walz, the Rhynes, the Wests, all was part of that farm 100 years ago and she sold it to keep herself going. And the only reason we're wanting to sell it now is to keep her in the home. And we considered other options. Under A-1 we could put in a RV park or we could bring in a sizable hog farm big enough to sustain itself and help her continue. But considering the neighbors I think this proposed development would be much more desirable then either of those options. And so, nothing against the neighbors and we wish you could say like it was like it's been for 100 years. But out of respect for Mother, we have to go this route. Thank you.

Mr. Apicella: Thank you, sir. Dale Flippo.

Dale Flippo: Hi, Dale Flippo. Like my brother said, 100 years this has gone on in the family. So yeah, I stand here really with some mixed feelings. I had some thoughts, but I guess I feel like we should be flattered that everyone really wants to keep the property the way it was. I remember when I was six years old moving there, and it was grown up and it was all covered up in the fields, the efforts that it took to get it to where it looks like today and it is great. And just as our esteemed neighbor, Mr. Diehr said, he's got a beautiful view. He absolutely does. I built had that house built in 1990. I lived there for 10 years. Life was forced to change on me, which forced me to sell the place, that then was 17 acres. He subdivided which gave some others the chance to be there as well. So, we have maintained the farm best we could through the years. And yes, about four years ago, we decided that something had to be done due to the resources. We started the conversations with the County and with others to get to where we are today. We probably should have started that years before that, knowing that it's longer than it takes to do what we have to do to get to a process. None of us wanted to go down this road. But as Robert mentioned, options were very limited on what we can do to maintain what we need to get done. Our goals were to take care of our mother and her place and try to have a least impact on the community or something that would be more sustained to what the County was building to anyway. And it does fit in with what we

Planning Commission Minutes
January 10, 2024

talked about traffic and the VA smart scale program is, as you know, has the Leeland to Layhill Road underway. That is a funded program to improve that area. I know you're aware of the transformation rail in Virginia going on and widening and adding the rail for the corridor which will give more transportation of the future. So yes, something like this could be of help in the communities that leads to that but it wasn't right. When changes get forced on our lives, I know nobody likes change, I don't like change, but things may force you to do that at times. So that's kind of where we are and where we're going with it. And we hope that these changes, I know they affect everyone, but we hope that they're the best changes than some other options that could have been out there. So that's kind of how we have arrived at where we are. Thank you.

Mr. Apicella: Thank you, sir. Harry Flippo.

Harry Flippo: Harry Flippo. I'm just here to reiterate some. I'm not a public speaker. But anyway, like I was saying, I was 12 years old when we moved to the farm. I spent many hours hunting, walking through the woods, Sunday afternoon, watching the stream run through, how it ran and all the different things and many hours in the field, come home from school and be out till dark, come in and eat. Many hours of labor and sweat. Never really gave it a thought about having to be in this position. But like I said, my mother, we're trying to keep her there. It's very expensive. So, we're trying to get something that we could keep her where she is and not have to ship her off somewhere where she doesn't want to be. So, thank you for listening.

Mr. Apicella: Thank you, sir. So that's the end of my speaker cards so, what I'll do is I'll ask anyone who hasn't spoken to my left if they want to speak. If you could please line up in front of the podium. Please come forward.

Kristin Maxson: Welcome, Stevhen. My name is Kristin Maxson. I wasn't prepared to actually speak right now on this topic. But I was prepared because I read the complete document. And I have a duty to speak for the people I've heard. There was a quote saying neighbors were fully aware prior to purchase. I heard that there was a 90-year-old woman. I heard that people have been living here since 20 plus years. And the Comp Plan is very vague. It actually changed this new year from 24 - 2024 to 36. It changed to 16 - 36. And so that was a big change. March, we went through the budget and we had somebody that was very brave that came in front of the Board and said there's going to be a push out of people that can't afford this area. Well, this study has been going on for four years. Is the affordable housing, is that rated prior to inflation, or is that after inflation? The traffic report that was given had no specific date, time or year to it and it the actual lines were put in and we don't know what that's referencing, what study that's referencing. The pump station has no road reference, or home places of the homes of people who are here so they understand, you know, that layout. The word USA was being used constantly. That's the United States of America. This is our country. It's not about urban service area, Urban Search service areas, urban area serviced is not USA, please. There has been a statement Pay As You Go. Is this how we're going to pay? The farmer has to pay and the farmer has to pay. There was a statement just recently at 2020 for a budget and it says Peter to pay Paul but Paul does not get paid. What does this mean to the people? I went to the February meeting of 24 - 36 Comp Plan and I read the specifications to inform the public and, in that body, there was no word at all that addressed the public. So, I applaud this group for being so strong. Thank you.

Vicky Toy: Hi, my name is Vicki Toy. I came to, I'm not against development per se, but I'm against this one. I came to recommend A-1 or A-2 and my neighbors here, we're an example of a neighborhood that used to be a farm called Gray's Potomac Run Farm was subdivided, they retained A-2 or A-1 and all of us have comfortable neighborhoods that fit right within this general neighborhood and we think

Planning Commission Minutes
January 10, 2024

that's an example of a development done well. My other comment is about Leeland Road. Two years ago, this week, as we speak, it was an ice slick that you couldn't drive down with downed trees and downed power lines. You couldn't go Eskimo Hill either. So, the road itself is a disaster waiting to happen. Because of the ditch, every time I try and drive a trailer down the road I fear getting stuck in the ditch that's already been referenced. The traffic that someone else referenced that is from Route One, that happens all the time. The fact that the people who live there will be going to the VRE is a total disaster waiting to happen because you need safe sidewalks. You need bike paths. You need a connection system between the neighborhood, whatever it ends up being, and the VRE. My next comment is about water runoff. If anybody's paid any attention to Accokeek Creek and Brooke Road, there's a total disaster. It's costing the County a ton of money. Any kind of dense development is going to happen to Potomac Creek, absolutely 100%. Any kind of runoff that goes into the Potomac River and Chesapeake Bay watershed should be looked at very, very, very carefully, which is another reason to keep density in the area low. The other issue is the cultural resources. Honestly, looking at a plan that has lot sites on top of the cultural resources sites is offensive to a lot of us. Stafford County has a proud, proud history of Civil War and a unique history of Civil War recognition and sites. At the very least, if these properties are subdivided, they should not include, regardless of the phased approach to researching those sites, should not be developed on. Period. End of story. And then the last comment I have before my time is up is the applicant had a bullet item that said this will be a well-lit community. So, you know a well-lit dense community in an agricultural area will be seen from space, right? And none of us want that at all. If anything, we want any community developed there to be a dark sky dark compliant community.

Christine Robins Campbell: Hi, how are you today? I'm Miss Flippo's neighbor. I live to the left to her. My name is Christine Robins Campbell. What nobody's addressed it and I love Miss Flippo, she is 96 years old. If you look at JPI's plans, they have her house sectioned off and I from what I gather she's allowed to live there as long as she's here on this earth. Nothing's been said about what happens to her land after that. She is my neighbor, or the quarter lot that they have bought that was historical, that was the old Leeland School. None of that has been addressed. And the bike path to nowhere, I do not understand. These are issues that I have, if you look at the plans. Also, I just I want know how the lots going to be used. I want to know the plan. Everybody's address Leeland Road. Every time I've called Stafford County for help, because I do live on Leeland Road next to her. It is a Dragway. I've literally watched them get out of their car, stand there and they have a drag race and called Stafford County and nobody ever comes out to help us. I've had a deer shot in my yard between her house. Nobody's ever come out to help us. How do you expect to support a community like that size? I don't understand. These are my concerns. Thank you.

Tanya Gossett: Thank you. Good evening, members of the Commission. My name is Tanya Gossett. I live, I'm the last house at the intersection of Morton and Leeland. I live right next to the wooded lot that the developer has purchased, I would also be very interested in understanding what is the plan for that lot. As the previous speaker said, I would also be very interested in understanding the plan for the Flippo's house site property after, after a certain time. I am here to also express my thanks to many of our neighbors who have been here tonight to talk to you about the incompatibility of the density of this proposal and I am here to support the no vote on this particular proposal. I do not have, as a neighbor of the Flippo's, I can I see their activity on their hill. I'm the next hill over. I have line of sight on their driveway and I see them visiting their mother every weekend. It's really quite lovely, a family. So, I understand their desire and their right to sell their property for a certain amount of money to support their family. I understand and I accept the right of the developer to make plans and, you know, try to sell at a price point that is going to make him some money. Sure. Of course, this is America. That's what we do. However, I think that in this case, the density is too high. I agree with all the comments about lowering the density, looking at something that is more compatible with the existing surrounding area,

Planning Commission Minutes
January 10, 2024

the surrounding properties. And on the last point, technical note, my background is in historic preservation. I can tell you that it is of concern, the developer has already decided, based on the Historical Commission's recommendation, that we'll do a Phase II survey to investigate these archaeological sites, but we're just going to put up signs. We're not going to do anything regardless of the findings of that archaeology. So, to me, that's very poor planning. The archaeological work should be done first and it should inform the design of whatever happens on that site. Thank you.

Mr. Apicella: Thank you.

Shanon Re: Hello, I'm Shanon Re. I live in Leeland Station. And one of the things that, one of the questions was about 55 and older and whether or not there are people less than 55 and older, less than 18. I know for a fact, my property backs up to the 55 and older section, I can guarantee you there are people 18 and under living back there. That's all I'll say about that. I'm sticking to my bullet points. When I did when I moved into Leeland Station I was aware that it was going to be continually built up. What I was not aware of was how horrible the water pressure is and it has gotten worse with every single section of Leeland Station that's been put in. I can only see that getting worse with 141 more houses. I would like to know how that's going to be mitigated. The corner of Leeland Station Primmer House is already designated for businesses. Once those businesses are built up, we're going to be adding more traffic, more ridiculous traffic. They're not wrong about the traffic. I deal with it every single day. I want to know too, if the developer is aware that there is a proposed methadone clinic going to be put in next to Weis if they get their way. That's what I'm here for to fight against that. But I'm here now for my neighbors to support and say no, no to this neighborhood, this new development. Absolutely not. Thank you.

Kristen Halstead: Hi, good evening. My name is Kristen Halstead. I'm actually here with the purple group to talk about the methadone clinic later on this evening that's on the agenda. But after listening to everything that I heard tonight, I felt it pertinent to say a few things about this topic as well. So just to understand, this proposed methadone clinic is going in, supposed to be going in next to our Weis grocery store, the only grocery store in the little tiny area that we have. So, all of these seniors that you guys are trying to put into this subdivision are now going to be exposed to a methadone clinic next to the grocery store that they'll be traveling to. So that's a big concern of mine. You guys also mentioned the pump station that's getting put in and how it's actually bigger than the houses that you're putting in there. If you look at page 67 of the actual agenda package, the big agenda package, you'll see the additional 39 units that they're trying to put in. So, if you guys make a point to notice that part. I feel horrible for the family. I live right next door to one of the sons of the mother that's selling the property. So, I'm hoping in some way, there can be some type of agreed upon solution to this between the County, the family that's trying to sell the property, and hopefully a developer. The County specs and regulations, does anywhere in this state or County preserve agricultural land? Where I come from in New Jersey, we have farmland preservation. You can't do what you guys are trying to do to this property back where I come from, because there is farmland preservation. You can't do that to farmland. And the last thing I have for a bullet point, the applicant stated that this community would lose amenities if they had to put less houses in. And in my opinion, I'm sorry, that's only because the applicant doesn't want to put out any extra expenses. And I'm sorry, that's not acceptable. So hopefully you guys can all come to some kind of conclusion for the Flippo family, because I do feel horrible for them in this situation. Thank you.

Rebecca Adamson: Hi, thank you for extra time. Stafford County is the fourth fastest growing County in Virginia. The developers are here not because they want to increase and improve our quality of life and preserve what we have here in the County. Everyone else is here for pretty much the same reason. And it was encouraging and inspiring and also heartbreaking that a family had to come and feel as guilty

Planning Commission Minutes
January 10, 2024

as they did for selling their land. Because we don't feel confident that what we want most of all is smart, sustainable development. We understand the pressures of development on this County. The fourth fastest growing says it all. You got to have these people in your door every time you turn around. We're asking you, we're together on what we want, smart, sustainable development. We hope our leadership is. What we're looking for are leaders and political decisions that, even the Comprehensive Plan is really good. It has a threshold here, but you're not following it. We just looked at the citation policy 9.1.3 about protecting our cultural heritage. It's already being violated. It's already being violated. We have train depots, we have transportation landmarks, we have railroad beds, we have campsites, we have cemeteries all on that one area. According to your own policy, being protected would say that this has to be surveyed. A quality survey and a look at every one of these aspects before you move ahead on this rezoning. We would like to turn to you and we'd like to count on you to protect us and look at smart sustainable growth that retains the feeling that the cultural and rural landscape permits preservation and restoration of historic sites and rural landscape, permits preservation and promote the unique heritage and quality of life we have here. That's what we're asking our leadership to uphold. We're in agreement.

Mr. Apicella: Ma'am, before you leave, ma'am, just your name and address please.

Rebecca Adamson: Pardon? Oh, I'm sorry. I'm sorry. I wanted to go under the radar. Rebecca Adamson. We have about 100 acres down here. And we've been buying up the acreage just to keep it protected.

Mr. Apicella: Thanks. So, I'm going to ask again, if there's anybody to my left who would like to speak, please come forward now. Okay, seeing no one, anybody to my right? If you would like to speak and you haven't had a chance to do so please line up. Okay, not seeing anybody. So last call. Anybody wants to speak on the side have spoken. Alright. So, with no one else speaking. I'm going to ask the applicant if they'd like to come forward and address any of the comments that they've heard.

Mr. Hicks: Starting with the first comment we heard tonight, kidding. Sorry. Not a lot to say in response to the lots of comments that we heard it. It's, the Flippos laid it out really the best of the circumstances as to why this has occurred. Both the Jarrells and Hicks are longtime residents of this area and we watched it, particularly these County, Stafford, Spotsylvania County go from 25 to 50,000 people. In 1990, there were 50,000 people in Stafford County became 100,000 by 2000. Now, it's 160,000 people in this County. So, to the folks that have moved here, because of the ability to get down here from Fairfax and escape those other congested areas, you're welcome. Those people like developers and builders, who made those things possible. The distinctive difference between yesterday and today is that people like Mike Zuraf, Kathy Baker, people like us employ experts who are doing the planning. In 1980, 1990, there was no planning. The product of the project in front of view today is the product of good planning, of thoughtful engineering, an examination of the black and white documents that you Stafford County have put out for us to consider. We have followed those rules, we have followed your direction. And this is a product we have and we believe that we're supplying a product that is very necessary for the County. Met with Healthy Generations yesterday and a surprising problem that they're dealing with is homelessness among seniors. We're not talking about people that will be considering homelessness in our development, but seniors are worthy of our consideration. And it will, as far as anything that, there's a lot of questions about "why here?". Why here is because it's the Urban Services Area. And I don't like saying USA because it is United States of America, but it is also Urban Services Area in Stafford County. And this is why we're here. Because the County has told us they want water and sewer for these properties. In order to do that, you have to have a certain amount of density. I explained earlier why the boundary situation is a little unique. As far as the half acre to an acre. But lots of things to consider. Lots of people that clearly don't understand the process. Unfortunately, a lot of people that don't understand

Planning Commission Minutes
January 10, 2024

the application and appreciate that you guys have taken the time with your packages to review them. And we ask for your support.

Mr. Apicella: Before you sit down, sir. Any further questions for the applicant? No? Alright, thank you. This is in my district so I'm going to virtually hand the gavel to the Vice Chairman, so that I can make a couple of motions.

Mr. Shelton: Go ahead, sir.

Mr. Apicella: Okay, so I'm going to motion to defer the Clift Farm rezoning and CUP to the first meeting in February. I want to allow staff and the applicant time to consider the issues and concerns raised by residents here tonight. I would ask the applicant doesn't already have a copy of the binder if we can make sure that he gets it so he can take a look at those and potentially respond to the issues that were raised tonight. I also think we need to give our new PC members, Planning Commission members, who've been on board all of a week, more time to digest these items, which they actually got for the first time on Friday. And I also would like to see what the applicant decides to do with respect to the, I'll call them, outlier proffer issues that staff mentioned. A couple other things that came up during the meeting from the panel itself was perhaps to consider stronger language on the Phase II study. I think that might be further clarified what happens if and when potentially, something arises that causes a change to the project. I'd ask staff to maybe look at the Dogwood Airpark flight pattern to see if there's any issues or concerns from a staff perspective. I'd like for the applicant to potentially consider based on something that we received tonight or previously from one of the constituents about Dogwood Airpark potentially providing notice to the homebuyers that they might be in the flight path if that is the case.

Ms. Sellers: *Inaudible, microphone not on.*

Mr. Apicella: Yeah, I made a motion to defer. Yeah, it's my fault.

Ms. Barnes: Second. I was waiting. I literally had my... second.

Ms. Sellers: Can I, I just want to make an amendment before we get into the reasons why. Instead of the first meeting in February, can you push it back to the next meeting. That is Ash Wednesday and Valentine's Day and just to make sure that we're not interfering in case people want to come back out. That is a holiday for some.

Mr. Apicella: Yeah, that's fine. I have no problem moving to the second meeting.

Ms. Sellers: Sorry, I didn't mean to interrupt.

Mr. Apicella: No, I appreciate your...

Mr. Shelton: Does the Commission concur with the modification? Yes, no? Okay. Okay, I have a motion from Mr. Apicella to defer. Do I have a second?

Ms. Barnes: That was from me.

Mr. Shelton: Second from Ms. Barnes. Any discussion?

***Planning Commission Minutes
January 10, 2024***

Mr. Apicella: I think I unfortunately jumped ahead of the curve here. I, just a couple more points I'd like to make, Mr. Chairman.

Mr. Shelton: Go ahead sir.

Mr. Apicella: I'd also like to potentially see some more clarity on the covenants with regard to restricting the age of persons who can live in the subdivision. Those are the things that I, that I recall being mentioned during the discussion. I don't know if anybody else has anything they want to bring up as part of their comments.

Mr. Shelton: Ms. Sellers?

Ms. Sellers: If we're requesting more information, I'd like to get some safety statistics of Leeland Road. I heard some stuff out there that's a little concerning for me. And I would like to see if the County has any safety information on that. Particularly if there are major accidents involving injury and death.

Mr. Shelton: Any additional questions? We have a motion and a second to defer. Please cast your votes. We have a unanimous, at 7-0. Motion so carried. I turn it back to you, Mr. Chair.

Mr. Apicella: Thank you, Mr. Shelton. We've been here almost four hours, I would ask that we'd maybe take a 10-minute break.

*The meeting was paused for a break.
The meeting reconvened at 9:52 PM.*

4. Amendment to the Zoning Ordinance – Proposed Ordinance O24-03 would amend and reordain the Zoning Ordinance, Stafford County Code Sec. 28-25, “Definitions of specific terms,” to amend the definition of hospital. The proposed Ordinance would amend the definition to clarify what constitutes a hospital use, in accordance with the Code of Virginia. **(Time Limit: March 21, 2024)**

Mr. Apicella: *Inaudible*... the hospital definition. Staff? Can I just clarify one thing? So as I understand it, the Board's referral, this is an up or down vote and we can't make any changes. Is that correct?

Ms. Baker: That is correct.

Mr. Apicella: Thank you.

Ms. Baker: Thank you. Good evening, Mr. Chair, members of the Commission, Kathy Baker, Acting Director of Planning and Zoning. This is, as you stated, a zoning ordinance amendment to change the definition of hospital. The consideration is to amend section 28-25, which would amend the hospital as listed in the proposed ordinance. O24-03, which is in your packages. On November 14 the Board referred this ordinance to the Planning Commission after several months of discussion and deliberation and requested the Planning Commission conduct their public hearing and make recommendation. And then on December 13th, the Planning Commission voted to conduct the hearing this evening. The Board had discussed, as noted, medical related uses previous meetings over the last several months. They had initially requested staff to provide background information regarding various definitions and how these uses related to medical uses are permitted. The current zoning ordinance classifies medical related uses within one of three terms. I'm going to read this differently how it's shown. It's a medical/dental office,

Planning Commission Minutes
January 10, 2024

medical/dental or psychiatric clinic or a hospital. And we'll go over those in just a minute. But these three uses are primarily permitted within various zoning districts in the County either by-right or by conditional use permit. Hospitals are mostly by conditional use permit where they are permitted, where clinics and offices are generally by-right. And I'm not going to read all of these definitions but just wanted to put them up for you all to see or for the public to take a look at if they want to read those but the main difference first with your medical offices and medical clinics are really the number of providers, the health care providers that you have. So, your clinics do not have the limitation on the numbers. Your medical dental office can total two principal health care providers and two other health care providers. Neither of these allow overnight stays within the office or clinic. The hospital definition is really based on your licensing in accordance with the Code of Virginia, so it generally follows the Code of Virginia's current definition. And it does allow overnight stays obviously. So, with regard to the additional changes recommended to the hospital definition and I've underlined and put them in bold on this slide. And again, it's a lengthy definition, but basically adding clarification on what a facility providing is associated with service or services defined in the Code of Virginia. And generally, this is services that include, I guess, intervention for mental health, developmental disabilities and substance abuse. So, it's just clarifying this definition and what the intent of hospital is. And at the end, talking about uses that specifically qualify as a hospital would not be considered as a medical, dental or psychiatric clinic. So just making that distinction. And then it further talks about what uses such as a residential facility that would not be considered a hospital. And that is just to clarify some of those uses that are out there existing so there's no, I guess, there would be a distinction whether they are considered a hospital or not. So, I know it's very technical information but the definition was prepared by staff and by a consultant that has been retained by the County for various zoning and planning issues. So, the consultant has looked at this as well. They made recommendations to further clarify the definition and so with that, staff is recommending approval of the ordinance, which amends that definition. I'll be happy to answer questions if I can.

Mr. Apicella: Thank you, Ms. Baker. Before we entertain questions, it's almost 10 o'clock. Our bylaws require that if we want to go past 10 o'clock, that there'll be a motion allowing us to do so. So, is there a motion to that effect?

Ms. Barnes: So moved.

Mr. Apicella: Is there a second?

Mr. Shelton: Second.

Mr. Apicella: Okay, we'll just take a voice vote. We turn into pumpkins. I'll just take a voice vote. All in favor, say aye.

All members: Aye.

Mr. Apicella: Opposed? Motion carries. Alright. Any questions for staff on this? Alright, seeing none. I'm going to thank you, Ms. Baker, I'm going to open the public hearing on this matter. Again, this is an opportunity to comment on this particular item. Before starting your comments. Please state your name and address. The clock starts when the green light appears. Yellow means there's one minute left. Red means your time is up. So, if anyone would like to speak on this, please come forward with the exception that I have two speaker cards I'd like to entertain first. I've got Nathan Halstead and Linda Winans.

Planning Commission Minutes
January 10, 2024

Nathan Halstead: Good evening to this late evening. Thank you. My name is Nathan Halstead. With this ordinance getting passed, pretty much us, you see a lot of us in the purple shirts and everything else. And I know the Commission Board, a lot of you guys have already heard about the methadone clinic that's possibly going in Woodlawn Shopping Center. Pretty much we just want this to happen so the people in the County understand what can happen in here with the by-right and then changing it to the conditional use permits. That now it takes a little bit more time and everything is a process and a lot more people will be informed of what's going to happen. Stuffs not going to happen under the radar. We care about this County and its people. We don't think that the County needs one in the area it's going but it does need one in Stafford County, just where it's at. And with the conditional use permit, you're gonna be able to have more control of where it goes and everything else. Not just methadone clinics but any kind of clinic. I mean, that's what it's all about, putting it in the proper place for the proper people so they're there and everything else. Last thing is it may take a lot more time but again, it keeps the County in control and makes us more aware of what's going to happen our County that makes this Stafford County, the best County around the area. And we know it is. I mean, that's why we're here, right? Everybody moves from north to south just because they like Stafford County. So alright, that's all I have. Thank you very much.

Mr. Apicella: Thank you, sir. Linda.

Linda Winans: Hi, my name is Linda Winans. I urge this to be passed because the way that this methadone clinic has come to be so far has been very, very under the radar. The Zoning Commission, everyone has failed us to this point. And we have stood as a united front not only because we don't feel like it's the right place to put it in a neighborhood, but we also felt that it's not right for the people. It's a thing that's needed but it just needs to be put in its proper place. And if this passes there will be a lot more control over where places like this can go. And it will be putting them in places where they will serve the community that needs them. You people all have the ability to shape the way that this County is going to look now and into the future. And I think that this would be a very, very smart move to make us be a more responsive and a more responsible place not only for residents, but for the people that need the help. So, thank you very much.

Mr. Apicella: Thank you, ma'am. So, at this time I'm going to mix it up. I'm going to ask if anybody on my right side would like to come forward and speak. Alright, seeing no one, anybody on my left side, if you want to line up.

Kristin Halstead: Good evening, I'm Kristen Halstead. I'm back again. As you've heard tonight about the concerns earlier tonight about the previous hearing. I would normally bring up all of those lovely concerns about this proposed methadone clinic but I think a lot of them have been touched on. The safety in the area, the transportation in the area for public transportation, the sidewalks that don't exist. All of these things are a huge concern. The safety for the kids in the schools, the methadone clinic that's proposed to go in next to the Weiss shopping center went in without notification to the adjoining property owners, it's trying to go in with all of these things that were not taken into consideration. And if you guys at least pass this ordinance, this won't happen somewhere else in the County. We have gone through over eight months of dealing with this. Coming to these meetings, taking off work so that we could be at the three o'clock Board of Supervisors meetings that they would never change the time for us so we had a very hard time getting to. So please don't delay this anymore and please pass this tonight. Please give your recommendation to go ahead and pass this to the Board of Supervisors so they can at least vote on this so that it doesn't happen somewhere else in the County. Please protect our kids, our veterans, our seniors and all the other protected classes that are going to be affected by this proposed methadone treatment center going in in this location across the street from my house and directly right next door to

Planning Commission Minutes
January 10, 2024

the local shopping center that all of the people in the surrounding area go to. So please just take care of this in a timely manner and don't keep delaying it or deferring it, like the Board of Supervisors did for over eight months. Thank you.

Mr. Apicella: Thank you, ma'am. Anyone else would like to come forward and speak on this item? Alright. Seeing no one else I'm going to close the public hearing and bring it back to the Commission. Would anybody like to put forward a motion?

Ms. Sellers: Move for approval.

Mr. Shelton: Second.

Mr. Apicella: Okay. I'll give it to Ms. Sellers and then to Mr. Shelton. Any further comments Ms. Sellers? Mr. Shelton?

Mr. Shelton: No sir.

Mr. Apicella: Anyone else? Alright. Cast your vote. Tally the vote. That motion passes unanimously. Alright, moving on to the next agenda item. Unfinished Business. I'm sorry. Just to clarify, Belmont, the rezoning has been deferred to the January 24 meeting. Alright, moving on to next agenda item. Unfinished Business, none. New Business, none. Planning Director's Report.

5. RC20153239; Reclassification – Belmont Park – A proposed zoning reclassification, with proffers, from the R-1 Zoning District to the M-1, Light Industrial Zoning District on Tax Map Parcel No. 44-138A consisting of approximately 11.8 acres; from the A-1, Agricultural Zoning District to the M-1 Zoning District on Tax Map Parcel Nos. 44-93A, 44-93F, 44-144, 44-144B, and 44-144C, together consisting of approximately 46.0 acres; and from the A-1 Zoning District to the M-2, Heavy Industrial Zoning District on Tax Map Parcel Nos. 44-91, 44-93E, 44-C-3-3, 44C-3-4, 44C-3-5, 44C-3-6, 44C-3-7, 44C-3-8, 44C-3-9, and 44-92, together consisting of approximately 74.4 acres, and to establish M-2, Heavy Industrial Zoning District on dedicated right-of-way along Thelma Lane and a portion of Paul Lane, consisting of approximately 0.60 acres, all to allow for a mix of business and industrial uses. All parcels subject to the proposed rezoning reclassification are collectively referred to as “the Property.” The Property is located on the east side of Powell Lane, approximately 800 feet south of the intersection with Capital Avenue; and north side of Sanford Drive, between Riverside Parkway and England Run, within the George Washington Election District. **(Time Limit: September 22, 2023, extended by Applicant to February 1, 2024) (History: Deferred at the June 28, 2023 meeting) (Deferred at the December 13, 2023 meeting to January 24, 2024)**

UNFINISHED BUSINESS

NONE

NEW BUSINESS

NONE

PLANNING DIRECTOR'S REPORT

Planning Commission Minutes
January 10, 2024

6. Project Pipeline Report (For Information Only)
7. 2024 Draft Meeting Schedule
8. 2023 Draft Annual Report

Ms. Baker: Thank you. And welcome to our new members. And Mr. Apicella, back at the helm. Your report is for information only as our project pipeline report and looking ahead at that just shows what will be upcoming on future public hearings. Also, is included is the 2024 draft meeting schedule. If you all have taken a look at that and want to make a recommendation to follow that. Right now, it doesn't fall within any holidays. So, it's there if you've had a chance to take a look at it.

Mr. Apicella: Does anybody have any recommended changes or want to make a motion to approve the proposed agenda?

Mr. Shelton: Motion to approve.

Mr. Apicella: Okay, is there a second?

Ms. Sellers: Second.

Mr. Apicella: Do we need to take a hard vote or can we just do it by voice vote? Okay. All those in favor of accepting the agenda as proposed say aye.

All members: Aye.

Mr. Apicella: Opposed? Motion carries. Thank you.

Ms. Baker: And also included was the draft annual report, which we typically just go over what you all have done in the past year. And if you all had a chance to look at that and have any additions, changes, we would bring that back with modifications, if there are any. I know that Stacie did provide a correction. I think, Mr. Martinez, just attendance at one of your Parks and Rec Commissions. But that was already corrected in the report.

Mr. Apicella: Okay. Hopefully everybody's had a chance to take a look at it. Does anyone have any proposed changes or would anybody like to motion to approve it as written?

Mr. Shelton: Motion to approve.

Ms. Barnes: Second.

Mr. Apicella: Okay. There's a motion to approve and seconded, the draft annual report. All in favor say aye.

All members: Aye.

Mr. Apicella: Opposed? Motion carries. Thank you. Looks like that's it for Planning Director's Report. County Attorney's report.

COUNTY ATTORNEY'S REPORT

Ms. Lucian: I have no report.

COMMITTEE REPORTS

CHAIRMAN'S REPORT

9. Appointments
 - * Architectural Review Board
 - * Economic Development Authority (Liaison)
 - * Parks and Recreation Commission (Non-voting Member)

Mr. Apicella: Shocking. Alright, Chairman's Report, Planning Commission Appointments. So, we have three different entities that we send a representative to. I don't know if staff want to go over any of these before we take volunteers.

Ms. Baker: As far as the Architectural Review Board, the Planning Commission does appoint a representative to serve. There are a total of seven members on the ARB and it really reviews the Certificate of Appropriateness applications, which are applications for compliance within our County Historic Districts. They right now meet Monday evenings at six. And they probably met, I want to say six or seven meetings last year. These are not district specific appointments. But it's a Planning Commission representative. It's a resident of Historic District, and an architect or architectural historian and then the rest are at-large members. So, we would be looking for Planning Commission to be that liaison between the Planning Commission and the ARB. They are the first Monday of each month.

Mr. Apicella: Can we go through the rest of them as well before?

Ms. Baker: Well, the Economic Development Authority, our Economic Development Office supports that. They meet, and I forgot to write down when they meet. It's a Friday during the day usually. But I don't recall which, sorry. Parks and Rec Commission, they do meet in the evenings. That is a non-voting member. Mr. Martinez, currently was sitting on that.

Mr. Apicella: Okay, we'll start with Architectural Review Board. Is anybody interested in serving on that? What if we don't have a representative? How does that work?

Ms. Baker: Our code does state that the Planning Commission would have a representative on that. So, you don't have to necessarily do it tonight. If you all want to think about it and make a recommendation at your next meeting.

Mr. Apicella: Alright.

Ms. Caudill: Can you tell me a little bit about that committee?

Ms. Baker: So typically, we have a historic district ordinance under the zoning ordinance, and it has recommendations for and certain requirements, if people within the historic district want to change the exterior of a building. So, it's mostly putting up new structures or revising the historic structures within the districts. Primarily, it's Falmouth Historic District, but there are about 20 other districts throughout the County where we have those restrictions. So, it follows guidelines from our National Secretary of

Planning Commission Minutes
January 10, 2024

Interior Standards and then we have design guidelines in place that that sort of drive that. The meetings are usually an hour, two hours at the most but also make other recommendations to the Board of Supervisors on activities such as additions, deletions to the historic district.

Mr. Apicella: I don't see anyone chomping at the bit, so unless somebody raises their hand in the next moment we'll bring this up at the next meeting. If no one volunteers, what's the next step?

Ms. Baker: You would appoint someone, as our new chair. But if anybody wants to reach out to me in the meantime, we do have a cultural resource planner now that's been on board since March. So, she is the staff liaison to the ARB and does all the background work.

Mr. Apicella: Okay, so we got a volunteer. Awesome. Thank you, Billy. Anybody interested in being our liaison to the Economic Development Authority? And what I heard was, it's a daytime meeting.

Ms. Baker: They're the first Fridays at 9am.

Ms. Sellers: I'll do that.

Mr. Apicella: Great. Thanks Laura. For Parks and Rec, what day does that meet?

Mr. Martinez: Third Thursday in the month.

Mr. Apicella: Okay. You're on it currently, Martin. Are you interested in continuing or is anybody else interested?

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

Mr. Apicella: I don't see anybody else rushing to take that job so you are appointed. Thank you. So, it looks like we've covered all of our PC appointments. Other Business, New TRC Submissions, something for the Aquia District, Mr. Martinez. We don't have any minutes to approve. So, with no further business before the Commission...

OTHER BUSINESS

10. New TRC Submissions

- [23155393](#); Stafford Co Schl Elem #19 - Aquia Election District
 - A major site plan for the construction of the new three-story elementary school #19 located adjacent to Brooke Point High and Stafford Middle Schools on TM # 39-76B and 39-71B, zoned A-1, consisting of 37.45 acres, within the Aquia Election District.

APPROVAL OF MINUTES

Ms. Baker: We do have December 13 minutes?

Mr. Apicella: I didn't see anything. Wow, I missed that. Alright. My apologies. That's what I got. I got no minutes.

Ms. Barnes: I don't have any on mine.

Planning Commission Minutes
January 10, 2024

Mr. Apicella: Can we just defer to the next meeting? Because again, I didn't see anything. Alright. We are...

ADJOURNMENT

Mr. Shelton: Motion to adjourn.

Mr. Apicella: ... adjourned.

At 10:12 PM, Chairman Apicella adjourned the January 10, 2024, Stafford County Planning Commission meeting.

Steven Apicella, Chairman
Planning Commission