

STAFFORD COUNTY PLANNING COMMISSION

August 28, 2024

The meeting of the Stafford County Planning Commission of Wednesday, August 28, 2024, was called to order at 6:00 PM by Chairman Steven Apicella in the Board of Supervisors Chambers of the George L. Gordon, Jr., Government Center.

MEMBERS PRESENT: Steven Apicella Willie Shelton, Jr., Kristen Barnes, Carlos Bratton, Kelsey Caudill, Martin Martinez, Laura Sellers

MEMBERS ABSENT: None

STAFF PRESENT: Mike Zuraf, Lauren Lucian, Stacie Stinnette, Amy Taylor, Matthew Lehane, Dylan Palmer

DECLARATIONS OF DISQUALIFICATION

Mr. Martinez: Mr. Chairman, we have a quorum.

Mr. Apicella: Thank you, Mr. Martinez. Are there any declarations of disqualification? Alright, seeing none. Are there any changes to the agenda? Nope, alright. I'll now open the public presentation portion of today's meeting. The public may have up to three minutes to comment on any matter except the public hearing items on today's agenda. There'll be a separate comment period when those items come up. This will not be an interactive conversation. Before starting your comments, please state your name and address. Clock starts when the green light appears, yellow means there's one minute left, and red means your time is up. So, if anyone would like to speak, please come forward now.

PUBLIC PRESENTATIONS

Mrs. Stencavage: Good evening. Darla Stencavage, Garrisonville District. I'm here today to express my concerns regarding the proposal to allow Buc-ee's to open a location in our county. While Buc-ee's is known for its large convenience stores and vast selection of goods, I believe that its presence would directly contradict the goals to reduce congestion, increase safety and improve multimodal accessibility that you are looking at instituting tonight under the Transportation Master Plan. First and foremost, the addition of a Buc-ee's would likely increase traffic congestion significantly. Buc-ee's locations often lead to substantial increases in traffic from traveling, travelers clogging roadways and creating large impacts on local traffic. Our county's infrastructure, particularly in the proposed area, is not designed to handle this surge in traffic. The increased vehicle flow could lead to bottlenecks, delays and gridlock, undermining our efforts to reduce congestion and improve the flow of traffic in an area that is already predicted to exceed capacity by 2031. Additionally, this increased traffic volume poses a serious safety concern. More vehicles on the road increase the likelihood of accidents, which not only endanger lives, but also place an additional burden on our already overburdened emergency services. The congestion around such a high traffic location can also complicate emergency response times. This goes against our county's commitment to prioritizing public safety and ensuring that our roadways are as safe as possible for all users, including, including drivers, cyclists and pedestrians. Furthermore, Buc-ee's model is centered around the automobile with little regard for motor modal accessibility. These massive stores are designed for car users, with expansive parking lots and multiple fuel pumps. There is minimal to no accommodation for public transit users, cyclists, or pedestrians. This is directly at odds with our county's vision to promote sustainable, multi modal transportation options. If we are truly committed to creating a community where walking, biking, and public transit are viable and attractive alternatives, we must consider developments that align with these goals, not ones that detract from them. In conclusion, allowing Buc-ee's to open in our county would be a step backwards in our efforts to reduce congestion,

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enhance safety and promote multi modal accessibility. I urge the Commission to consider the long-term impacts of this decision and prioritize developments that align with our county's goals for a safer, more accessible and sustainable community. Thank you.

Mr. Apicella: Thank you, Ma'am. Anyone else?

Ms. Whitmer: Good evening. I'm Joanna Whitmer of, in the Garrisonville District as well. And I'm also speaking on Buc-ee's as a lay person to the planning process, traffic engineering and urban development, I clearly do not have the experience with this subject. However, in the short time I have spent reviewing the proposed traffic or transportation, Transportation Master Plan proposed to this commission, I can see that the planning department and this commission has spent significant time and effort, as well as proposed 10s of millions of dollars to maintain and upgrade the transportation infrastructure in Stafford County. In contrast to this, there is a 32-point reply from VDOT to Buc-ee's in April, requesting significant changes in requesting important information to update the proposed Buc-ee's general plan. Even as a lay person, I can see the massive traffic, traffic effects that VDOT is seeking clarification on, as well as the changes to Buc-ee's plan that would have to be made. In light of the, in light of the clearly, clearly significant impact Buc-ee's would have on the traffic environment that this TMP does not appear to address, I again ask the Planning Commission to not allow Buc-ee's to come, and to ensure at a minimum, Buc-ee's pays for all mitigations and development necessary to counter the significant problems presented by VDOT. Please do not allow Buc-ee's to push the cost on all of us, on to Stafford County residents, thank you. Have a good evening.

Mr. Apicella: Thank you, ma'am. Anyone else?

Mr. Watkins: Good evening. I'm Alan Watkins. I live in the George Washington District. I'm hoping, I know we can't be interactive in any way, shape, or form, but at some point in time, I hope that this Commission can wind up getting answers, because I've certainly not been able to get information regarding a certain project that is underway that that I do not think, or I do not recall, ever came before the Planning Commission. I attended a recent FAMPO Policy Committee meeting, and actually Ms. Sellers was, you know, sitting alongside me in an outer room, and a couple of residents from the Del Webb community came forward, and they were asking questions of the policy committee regarding some construction that was taking place along Celebrate Virginia Parkway, and we didn't know anything about it at all. Actually, I don't think Ms. Sellers was aware of it as well. And literally, the people asking the questions got no response at all from any of the FAMPO staff members or any of the Stafford Supervisors who were actually present there. So, I started to do some checking on my own, and I found out when I drove around that indeed, there was some clearing of trees and some grading going on at a particular piece of property, a piece of property that I knew had some other significance. So, I went around to the opposite side of where I could see the construction was taking place. And I could see that what was happening was at the very end of Commerce Parkway. Now at the very end of Commerce Parkway, if you have any knowledge of what's been going on with FAMPO, with the potential river crossing and parkway, is that is an essential extension that was planned to be there so that traffic would be able to go from Commerce Parkway to connect to Celebrate Virginia Parkway, and then possibly go down to wherever the bridge was supposed to be. So being that there was some construction going on there, I started to investigate, and I found out the property is owned right now by the Steubenville Capital LLC, which bought it about a year and a half ago for \$304,000 from Celebrate Virginia. And it was kind of odd because it was appraised at \$2.4 million and I also then investigated further and found out that there actually was in Planning and Zoning, a project number for it, and the project says that the the road is, or the property is being cleared for a potential industrial park in the future. In the future, right now, you have cleared ground, you will have the potential for erosion, for runoff, etc., etc., etc., and there's no

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clear plan, as far as I can tell, for what's going on with that particular potential new project. But in the meantime, it potentially could become a very strong obstruction to anything that intends to be a river bridge and parkway, so that's what I would like to get information about.

Mr. Apicella: Thank you, sir.

Ms. Maxson: Kristen Maxson. I'd like to thank the speakers that have come forth with their words. Well done. July 24th of 24 of this year, at second hour that would be second hour and 57 minutes in the recording, Plan Commissioners' Wednesday meeting might be back-to-back to C meetings, and this does not give time for full review. See bylaws, concerns. Thank you. Board of Zoning Appeals yesterday, BZA meeting, August 27th 24, did not allow public, open hearings prior to individual zoning presentations on items numbered. No unfinished business listed, and no zoning and admin report was given. May 20th Board of Zoning Appeal minutes of 2024 has public witness concerns. Can you suspend by-laws for elections of officers? Perhaps an emergency, as one Board member suggested. Was there emergency for the voting of the BZA? None was stated. Adoption of February 27 minutes is bundled into May, 20 minutes. Why? Why isn't it separate? It makes it hard for people to search. Are not elections done in January? Has Robert's Rule been reviewed as BZA staff has asked? Should it be going forward as piece mail as described in page 29 of 31 BZA minutes May 28 of 2024? Can you have elections without all current officers, holders present? Page 36 of 37 bundled as page 109 of 110 in packet, also on this page is suggesting a conflict of interest by a Board member. Question mark. Has this been resolved? Can we have officers nominate themselves for elections? Question Mark. This was done at the elections. Can you have an election officer meeting and not adjourn when the quorum has left? Quorum and public left the room prior to adjournment. Question mark. This has some, this same was before the public in the last Board of Supervisors meeting August 20th 24. Meeting ended with a statement of "have a nice day". Please note the meeting was well into the night and with one hour left of the day. How does this affect the by-laws, and the meetings preceded for the public? It is unknown if the minutes fully matches the minutes defined...

Mr. Apicella: Sorry, time's up. Thank you.

Ms. Maxson: I want to thank everybody here. We really appreciate your time.

Mr. Apicella: Anyone else like to go forward and speaker in the public presentations portion of the meeting? Seeing no one I'm gonna close that portion, move on to the first agenda item, which is Transportation Master Plan and Impact Fees. Mr. Zuraf.

PUBLIC HEARINGS

1. Comprehensive Plan Amendments for the Transportation Master Plan and Transportation Impact Fees – A proposal to amend the "Stafford County, Virginia, Comprehensive Plan 2016-2036, 2021 5-Year Update," adopted November 16, 2021, as last revised (Comp Plan), to (1) adopt that certain plan entitled "Draft 2024 Transportation Plan Master Plan Stafford County 5/8/2024" (Transportation Master Plan), included as Exhibit A to proposed Resolution R24-207, as an Appendix to the Comp Plan; and (2) amend Chapter 4, "Transportation" regarding impact fees authorized by Virginia Code § 15.2-2317 *et seq.* to update transportation impact fee and related information, update the Roadway Improvement Plan, and to recognize the Transportation Master Plan, all as identified in Exhibit A to proposed Resolution R24-229. **(Time Limit: September 22, 2024)**

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Mr. Zuraf: If you would please recognize Mr. Matthew Lehane.

Mr. Lehane: Alright. Well, thank you Planning Commission members. So, you all saw me before a couple occasions, and today we are here for the public hearing. Since the last meeting, you all have had some time to review. I'm happy to answer any further questions that you all may have. As a reminder, this is Comprehensive Plan amendments for the Transportation Master Plan and our Transportation Impact Fees. So, with that, I'm kind of happy to answer any questions that you all may have. We do have the presentation available, if we would like to go through it as well.

Mr. Apicella: What's the will of the Commission? Like to have a presentation? Can you give it quickly?

Mr. Lehane: Yes

Mr. Apicella: Because there is public here, so yes, quickly.

Mr. Lehane: Yes. I can talk quickly. So master plan and impact fees build a blueprint for the vision of Stafford County and fund that vision. So, we have multiple amendments to the Comprehensive Plan. Essentially, it's adding a bunch of transportation projects and updating Chapter 4.14 for impact fees. We have three phases in the Master Plan. These are noted throughout the document. Phase 1 is our existing CIP items. These are projects that we're currently working on right now, like improvements to Enon Road or improvements to Onville Road. Phase 2 are those shorter-term projects; we'll say FY29 through FY40ish. Those are shorter term projects that we are currently looking for grant funding or developing concepts for. We just applied for eight of these for, I think 300, and it's actually higher than 320 million. I think it ended up being \$360 million or 370 in the most recent round of smart scale. And then we have some additional smaller projects that we'll look at future grant funding as well. This includes projects like the Garrisonville Road widening project, a new road between Enon Road and Centreport Parkway, widening of Warrenton Road, and various other projects throughout Stafford County. And then lastly, Phase 3, are these long-term projects. This is like a Mine Road extension, a widening of Centreport Parkway to four lanes. These are really large projects that cost a lot of money. Mine Road probably cost \$200 million but these are projects that have a significant impact on Stafford County. We have projects such as the river crossing where there is no location chosen, but we do have a, it could go anywhere from here-to-here type of note in the Master Plan. And then we also have notes about kind of larger vision for Stafford County. Connections between North Stafford and Prince William County, West of Quantico, sort of a western network of sorts that's even further out. Alternatives to I-95 and Route 1. So, with that, I'm happy to take any questions that you all may have.

Mr. Shelton: Chairman, I have a question.

Mr. Apicella: Please go ahead, Mr. Shelton.

Mr. Shelton: Could you be a little more specific on what's covered in Phase 1?

Mr. Lehane: Yeah.

Mr. Shelton: And Phase 2? In looking at the, your report that's online, there appears to be a plethora of things. And in two, and some of them are carried out to 2030. So could you clarify? Do we have the funding for all of those? So, at least seeking funding or what? What's the circumstances?

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Mr. Lehane: Yeah, so certainly. So, Phase 1, yes. The intention is these are the projects that we have funding for. These are projects like improvements at Route 1 and Layhill Road, improvements at Route 1 and Enon Road, improvements at Telegraph Road, Woodstock Lane on Route Onville Road. Various projects that were in the 2019 transportation bond, generally, and some other projects that we've had such as permits at Route 1 and Courthouse Road. These are all projects that, yes, we have the funding for in our current plan. These are projects that we are currently working on or about to start, and these are projects that we anticipate finishing by FY29-FY30. The goal of the plan is to show three phases, and because of, as you mentioned, the funding and the timelines, Phase 1 through FY29-FY30, everything is right now, fully funded. Phase 2 are what we'll call shorter term projects, FY29 through about FY40. None of these projects are funded. We have maybe 15 million in total grant funding on these projects right now, but none of them are fully funded. We don't plan on starting on any of them right now, but several of them, we have applied eight of them, I believe, the current round of the state smart scale grant program for, I think, over \$360 million so those are projects that we're planning on working on in the future, but not starting right now. And then, yeah, that Phase 3 is longer term, bigger projects. I'll also note from the 2019 bond we also have wedge widening projects. Those are your rural road improvements. We're adding about a foot of pavement on each side. We actually just completed within the last month or VDOT did Brent Point Road and Decatur Road. We plan on doing Stefaniga Road next year, and those products are all in that Phase 1 as well.

Mr. Apicella: Anyone else? Did you have anything to say about the impact fees? Piece of this?

Mr. Lehane: Yeah, so impact fees are Chapter 4.14, we've been working on impact fees at the county since the early 2000s. We've had a couple of iterations in 2002, 2003 and then our most recent update was in 2014. And impact fees are basically fees paid by developers for transportation improvements throughout the county. We have a list of projects which are those projects found in Phase 1, 2, and 3, and those are the projects we plan to use impact fees to construct. So, every residential unit currently pays \$2,999 for impact fees. However, in the future, the plan would be to increase that to upwards of \$17,000 for the north area, and I think somewhere around \$12,000 for the south area. And then we have additional fees for types of commercial development as well.

Mr. Apicella: Can you say that? Yes? Is that for a homeowner?

Mr. Lehane: No, so that's, sorry. That's paid for by the developers. That's a fee paid at the permit stage.

Mr. Apicella: For each unit?

Mr. Lehane: Yes.

Mr. Apicella: But ultimately, that's going to be paid by the homeowner?

Mr. Lehane: *Inaudible*... yeah, so that fee is not paid by the homeowner.

Mr. Apicella: I know it's not paid directly but we... *inaudible*... it works.

Mr. Lehane: Yeah, yeah. So, in context, kind of to add what Brian just said, the fees aren't necessarily always paid at 100%. For instance, some of the fees, depending on the improvements that a developer is making, the fee may be paid at 50% of its value of just under \$3,000.

Mr. Apicella: So, when, when will those need new fees be implemented?

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Mr. Lehane: So that would be up to the Board of Supervisors. We are going through multiple processes right now. One process is here with the Planning Commission to review the Comprehensive Plan and impact fees are included in the Comprehensive Plan. The second process is for impact fees through an impact fee advisory committee, as required by state code. And we've been working with the committee, I think we've had four meetings so far, and their recommendation will also be due by September 22nd as well. So, from there, the Board of Supervisors will take the recommendations, and we'll see how they want to proceed after that.

Mr. Apicella: Ms. Barnes, you have a question?

Ms. Barnes: Have you, by any chance, had any feedback from the developers, builders?

Mr. Lehane: Yeah, so our feedback has generally, right now, been through the Impact Fee Advisory Committee, and what you'll find online, on our, I guess, our agenda pages for the Impact Fee Advisory Committee, we, I think we've published two sets of, two or three sets of minutes so far. We have seen some general feedback, but the general feedback has been that the fees are too high and should be lowered but we'll kind of see what their final recommendation is, and we'll go from there.

Mr. Apicella: Mr. Shelton? Yes, please.

Mr. Shelton: Mr. Chairman, if I'm correct, isn't there already an impact fee on of some \$26,000 and are we saying we're going to add another 17?

Mr. Lehane: So, the fee currently is for residential units. It's paid for by developers at the permit stage for \$2,999, so just under 3000. We also have fees for commercial development, for industrial and other types of uses. However, those are not paid for by developers. Those are paid for by Stafford County right now.

Mr. Shelton: Thank you.

Ms. Barnes: How long has it been \$2,999?

Mr. Lehane: It's been like that since 2014, that was the effective date of the current impact fee program.

Ms. Barnes: Before that, what was it?

Mr. Lehane: Less than that. I can't speak off the top of my head. I think it was one or \$2,000.

Ms. Barnes: Okay, thank you.

Mr. Apicella: Anyone else have questions? Just have one quick question. I know I asked this question last time, but just for the public's interest. The referral to the Planning Commission, we can't make any changes to either component so essentially, it's an up or down vote on both of these.

Mr. Lehane: Yeah, I'd refer to... Yeah, they're nodding their head yes.

Mr. Zuraf: Yes, yes, that's correct.

Mr. Apicella: Alright.

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Ms. Barnes: And this doesn't include that, that transportation impact fee? That's just something that we're looking, the Board of Supervisors does that. We are not doing that here at all.

Mr. Lehane: Right, so there's two parts to the transportation impact fees. Apologies, allow me to clarify that. There's the part that's in the Comprehensive Plan which is that the projects and the general fee is in the Comprehensive Plan with the map of the projects. The second part is the impact fee ordinance, and that's what's being reviewed by the Impact Fee Advisory Committee, and that's the actual, that's the number, the projects and how the fees are being paid. So, all the Planning Commissioners reviewing is the input in the Comprehensive Plan, which is that list of projects in the map, essentially.

Ms. Barnes: I just wanted to make that very clear. Thank you

Ms. Sellers: So, these projects in Phase 2, are they going to, they're going to stay in the Transportation Plan, regardless of what happens in the Smart Scale process?

Mr. Lehane: Yes, yeah. These projects that are high priorities for Stafford County and these are the projects that we will be continuously looking at, regardless of Smart Scale, over the next many years.

Ms. Sellers: Okay.

Mr. Apicella: So, I'll open the public hearing on both these items, an opportunity to comment on both the Comp Plan amendment associated with the Transportation Master Plan and the one associated with impact fees. 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. If anyone would like to come forward and speak on this, now's your time to do so.

Mr. Watkins: Hello again. My name is Alan Watkins, and as far as I know, I still live in George Washington District. You'll notice there's a little bit of a theme to what I'm going to bring up here right now, because I, first of all, I recommend the adoption of the Master Plan. I did look through it, and I noticed on page number 31 there is a map called map number 10, and it lists a variety of different projects. Number two is the Commerce Parkway extension. Okay, you'll notice the connection now, because it's a Commerce Parkway extension to Celebrate Virginia Parkway. It's an upgrade from the three lanes for that particular project. Now, obviously, as we know in the plan, many times as Mr. Lehane is aware also, some of these projects never really happen. But this is something that, of course, is relatively important to our entire region, and I would hope that we can ultimately, again, tie back into finding out what's going on with why there's development going on the property that would be necessary for this transportation project to take place. Thank you.

Mr. Apicella: Thank you sir. Anyone else?

Ms. Whitmer: Good evening again. This is going to be completely off the cuff here, so we'll go for that. Joanna Whitmer, Garrisonville District. According to what he's saying, it sounds like there's not enough money to finish the projects that Stafford really wants to do anyways. So, I'm kind of wondering why we want to bring Buc-ee's here when their CEO and owner is known for making the cities and the states and the counties that they come to pay for the majority of their work, where we don't even have the money to complete the projects that we already have. So, I don't think we need Buc-ee's. So, I hope you have a good evening.

Mr. Apicella: Thank you. Anybody else?

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Ms. Maxson: Kristen Maxson. I'd like to thank the Transportation Department for their hard work. I know they've been doing this for a long time. Column number 12, listing within the targeted development area improvements, page 73 of 244, shows defines, Venture Drive extension and South Campus, which will bring trucks and industrial traffic close to the hospital traffic in the Comprehensive Plan. What is this impact of industrial to retirement communities, also and data centers and government operation buildings and campuses and shopping all planned in the same area, within a mile. This is poor planning for growth. Best to keep the trucks south, probably near the airport would be the best. But you're the better judgment of that. Conceptual design is described as a big wheel center. Is this a gambling wheel? And off the cuff like the other speaker, there will be gambling likely in the area that she was describing, the small gambling machines, just now and then. Paragraph, new paragraph. Distribution and a city need to be five miles apart or it will be consumed by industrial production demands in the near future. See page 36 of 2595 pages, August, 20 of 2024. Staff states, 20 years into the future, land will be too expensive. Question mark. Is this not a conflict of interest when taking, talking about current acquisitions today? This practice is wrong. Taking land cannot be sold or stowed and cannot be referred, referenced as wrong, as wrongly targeting. Town Center of Aquia is an example of misused targeting now strong held by a question. New paragraph. Lots of words. Page 35, 71, 73, 200, 225 and 244 use words of target study, target development area should read areas of interest rather. The definition of target, an object such as a padded disc with a marked surface that is shot at to test accuracy in a rifle and archery practice. Something aimed to fire at an object of criticism and verbal attack. This is sources taken from the current American Heritage Dictionary of the English language, fifth edition. And I would like to thank you all. Thank you.

Mr. Apicella: Thank you, Ms. Maxson. Anybody else? Alright, seeing no one else, I'm going to close the public, public comment period, public hearing, and bring this back to the Commission for consideration. Is there a motion on the draft 2024 Transportation Master Plan?

Ms. Sellers: Chairman, I don't have a motion, but I am going to be recusing myself from these votes and I have to give my reason. And from both of them, after hearing the presentation, these projects will be coming to the CTB, and as a member of the CTB, without knowing which ones are going to be presented as district grant projects or high priority projects, I would just rather not present any appearance of preference, and just say I will recuse myself from this, this vote at this time.

Mr. Apicella: Thank you, Ms. Sellers.

Mr. Shelton: Mr. Chairman?

Mr. Apicella: Yes.

Mr. Shelton: Motion to approve the Transportation Master Plan.

Mr. Apicella: Okay, is there a second?

Mr. Martinez: Second.

Mr. Apicella: Alright, there's been a motion to approve the draft 2024 Transportation Master Plan Comp Plan amendments and it's been seconded. Mr. Shelton, any further comments?

Mr. Shelton: No, sir

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Mr. Apicella: Mr. Martinez? Anyone else? Okay, please cast your vote. Okay, that motion carries 6-0 with one abstention (*Ms. Sellers abstained*). Is there a motion on the update to the Transportation Impact Fee information and update the Roadway Improvement Plan Comp Plan Amendment?

Mr. Shelton: Motion to approve.

Mr. Apicella: Thank you, Mr. Shelton. Is there a second?

Ms. Barnes: Second.

Mr. Apicella: I'm gonna give it to Ms. Barnes. Any further comments, Mr. Shelton?

Mr. Shelton: No, sir.

Mr. Apicella: Ms. Barnes? Anyone else? Okay, please cast your vote. That motion carries 6-0 with one abstention (*Ms. Sellers abstained*). Thank you, Mr. Lehane. Okay, that's it for the public hearings. Moving on to the next order of business, which is Unfinished Business, I think.

UNFINISHED BUSINESS

2. SPR23155130; Preliminary Site Plan - Rocky Run Village – A proposed preliminary site plan for 107 lots on Tax Map Parcel Nos. 43-71 and 43-72, zoned R-1, Suburban Residential, consisting of 56.80 acres, located on the east and west sides of Village Parkway between Bealton Court and Royal Crescent Way, within the Hartwood Election District. **(Time Limit: September 22, 2024)**

Mr. Zuraf: Mr. Chairman, if you could recognize Dylan Palmer for the staff presentation of item number 2.

Mr. Apicella: Mr. Palmer, welcome.

Mr. Palmer: Thank you. Good evening, Mr. Chairman and Commissioners. My name is Dylan Palmer with the Department of Planning and Zoning, and I'm here to present item number 2 tonight, which is the Preliminary Subdivision Plan of Rocky Run Village. So, this is probably like deja vu for most of you since we talked about this at the last meeting. So, at the July 24th meeting, I gave the full presentation. Do you want me to run through the presentation real quick again, just to, I know Commissioner Caudill was out. So?

Mr. Apicella: Could you do it quickly?

Mr. Palmer: Yeah, I can try. So, I'll skip through most of it. So, it's 107 lots located in the Stafford Lakes neighborhood towards the end of Village Parkway. It's about 56 acres total, and it's all R-1 zoning and it's being developed by the Pruitt Companies. This is the location. So, it's right to the west of Lake Mooney there in Stafford Lakes Village. So, it's a preliminary plan. So, it's something that has to come to the board to be approved before the entire plan can be built. And I'll explain that. I have concerns that several members had. These are the existing conditions. So, as you'll see, most of it's already torn up and they're starting to develop it. So that's Section One of the development. And I know Commissioner Barnes had questions about that. So, there's kind of a quirk in the rules where the developer can come in with 50 lots and say, yeah, we want to build a 50-lot construction plan. They're not breaking that 51-lot

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limit, where, if they go 51 and up, they have to come in front of the Planning Commission. So, they submitted those 50 lots first. They didn't have to come to the Planning Commission. Now they want to get Sections Two and Three added on to it as well, and that's why I'm presenting this here tonight.

Mr. Apicella: Can I just ask a quick question? So, if someone has 52 lots, and they do their first 50, and then they come in and they want to do the second two, would they still have to come back to us? Or are they segmented out that they've done their first 50 and then they're doing the next two, don't have to come to us? How does that work?

Mr. Palmer: So, if it's the same development, so like in this case, it's Rocky Run Village Section One. Rocky Run Village Section Two, they would have to come back because they're going over that 51-lot threshold. So that's, I'll leave it at that. I don't want to give them any ideas.

Mr. Apicella: Is that, is that a change? Because I don't remember that happening in the past.

Mr. Palmer: Yeah. So this was something that, I may have to ask Mike, because, it was, I believe it was when this project came in, it went to the County Attorney, and at the time, Jeff Harvey was the Director, and that was their opinion at the time, was we can't legally restrict them from submitting those first 50 lots, but we could, come, I don't know if require, yeah, I guess require them to come back in later with the preliminary, so.

Mr. Apicella: Yeah, again, I just want to make sure I'm, I'm on the same page. So once the sum total of lots is over 51 then they would have to come to the Planning Commission.

Mr. Palmer: Yes, that's correct. And again, that is a change, because in the past, that's what developers used to do. Might have 150-unit development and segmented out into three pieces and never have to come to us for a look, which I think is a good change. So that's my personal opinion. Ms. Barnes?

Ms. Barnes: They have to come back to us for approval of a project partially already under construction or possibly already finished.

Mr. Palmer: Potentially. So, it's, this case is kind of a special case because of the rezoning and the amenities involved with it and the proffers involved with it. So

Ms. Barnes: We have kind of a, what's the word, ex post facto approval? I don't know. That's what we're doing?

Mr. Zuraf: Mr. Chairman, I think, let staff kind of look into this issue, just for future reference, and see actually how, how this may be applied in different situations. We can get back to you on, on how this might happen or what might happen in different situations.

Mr. Apicella: Okay, that's fair. Thank you.

Mr. Palmer: So, this is the current condition from about a month ago. That's about the same today, hopefully. This is the site plan. So, I'll go through real quick and show you. That's Section One, that's the part that the construction plan has been approved and they're currently working on. Section Two is the additional, say, what is it like 30 lots? And then Section Three, there to the west of Village Parkway. So, this is one of the concerns that was brought up at the last meeting, where the off-site soccer field and the RPA crossing, those are on the far western end there in Section Three. And those are something that

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I believe somebody from the Pruitt Companies, but Logan Brunette from Hirschler is here tonight to discuss, at the last meeting it was brought up by the Commissioners to do a proffer amendment to potentially move that soccer field and remove the requirement for that crossing. They have indicated that they're open to doing that, and I'll defer to them for any questions about that. But as it stands, this plan will have to either be approved or denied with those on the plan, and the proffer amendment coming in later would remove those and however you all work it out with the developers and how they see it in the future, to mitigate those proffers. These are the amenity plans. So, I already mentioned the soccer field there on the west end. There's two tot lots, a multi-purpose court over on the eastern end, and then a picnic area there as well. And then this is the original GDP from back in 2005 and there's no major changes, just a little change to one of the streets because they found a new RPA in that area. And then some of the proffers that were enacted back in 2005, they have a maximum density of 107 lots, bus stop, which they've included. They provided the amenities that were laid out in the proffers. Proffer J is a cash contribution. Proffer L is an HOA creation, and I believe they'll be absorbed into Stafford Lakes. And then I also had a question from Commissioner Shelton, and that's regarding proffer F, which was that they're required to include fire sprinklers in all of their dwellings, that is confirmed, it's on the plan, and they will be addressing that at the building permit stage, or that will be enforced at the building permit stage.

Mr. Shelton: Thank you very much.

Mr. Palmer: And staff recommends approval of the preliminary subdivision plan.

Mr. Apicella: Thank you. Any questions for Mr. Palmer? Ms. Barnes?

Ms. Barnes: Okay, this not necessarily a question. The questions that I have are something we all probably know, but I don't think the public knows. The difference between what we're doing here in the approval of a preliminary subdivision plan is very different than, say, a reclassification in which we are originally approving a whole new development. We are not doing that here, correct?

Mr. Palmer: Yeah, that's correct. So, the, this was approved back in 2005 with the rezoning. So, when they rezoned this to R-1 back then, that was the GDP that was provided in the presentation. That was kind of their plan at the time, was, yeah, we want to do a development. The preliminary plan is a county, it's in Sections 22 and 22-62 and 22-63 of the County Ordinance that it has to come in front of the Planning Commission in order to approve the preliminary to go over that 51 lots.

Ms. Barnes: And that decision lies with us. It doesn't go to the Board of Supervisors.

Mr. Palmer: No, it does not. You're the final authority on it.

Ms. Barnes: Okay, and as stated in the staff report, staff recommends approval of the preliminary subdivision plan as it complies with all applicable ordinance requirements. If this fills all applicable ordinance requirements, basically, we are instructed, or that is our duty, to approve it if it fulfills, not if we don't like it, not if we don't want any more houses, etc., etc. But this comes to us. It's ministerial basically.

Mr. Palmer: That is correct. And then I do want to emphasize real quick, I don't, I think I skipped over it, but at the last meeting, the vote was only to approve Section Two, and then, after review by the County Attorney and staff, Section 22-63 of the Ordinance says that the Planning Commission shall make a decision of a complete application, and the subdivider shall be advised of the decision of the Planning

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Commission. So only the entirety Sections One, Two and Three can either be approved or denied at the meeting.

Mr. Apicella: Question, Mr. Shelton? Go ahead.

Mr. Shelton: How many units are built already in Section One?

Mr. Palmer: As of a month ago, they were working on one unit, which I believe is the model home. I believe they got the permit for that back in April, I want to say. So that was when I drove out there a month ago, they were only maybe halfway done with the model home.

Mr. Shelton: Thank you.

Mr. Apicella: Any further questions? Thank you, Mr. Palmer. Would the applicant like to come forward?

Ms. Brunette: Absolutely. I'm Logan Brunette, representing the applicant. I think Mr. Palmer did a great job of summing up the reason why we're here today. You know, again, it's 107 units overall. Phase 1 was the 50, and Phase 2 was intended to be 33, Phase 3 was intended to be that last remaining 24. That is still the plan, and we are still amenable to doing a proffer amendment, minor proffer amendment after this hearing tonight, should you approve the preliminary site plan or subdivision plan to move that soccer field or to do a cash contribution to schools. But again, we explore that with staff after the hearing tonight. So, if you have any questions, happy to address them.

Mr. Apicella: Thank you. Questions for the applicant? So, you did such a great job. There's no questions.

Ms. Brunette: Great. Thank you guys.

Mr. Apicella: Alright, it's not a public hearing, so I'll bring this back to the board for recommendation. Mr. Shelton, this is in your district. How would you like to proceed?

Mr. Shelton: I recommend approval on Sections One, Two and Three.

Ms. Sellers: Second.

Mr. Apicella: Okay, any further comments, Mr. Shelton?

Mr. Shelton: No, sir.

Mr. Apicella: Ms. Sellers? Anyone else? Alright, please cast your vote on the motion to approve. That motion carries 7-0. Thank you very much. Alright, moving on to New Business.

NEW BUSINESS

3. Application Time Extension – CUP23155273; Conditional Use Permit – Barrett Knolls Public Parking Lot – A request for a time extension pursuant to Stafford County Code Sec. 28-185, “Conditional Use Permits.”

Mr. Zuraf: For item 3, please recognize Amy Taylor for the staff presentation.

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Mr. Apicella: Hi, Ms. Taylor.

Ms. Taylor: Good evening, Mr. Chair, members of the Commission. I am Amy Taylor with Planning and Zoning, and I am here this evening to present item number 3 on tonight's agenda, which is a request for a time limit extension for the Barrett Knolls Public Parking Lot Conditional Use Permit (CUP) application. At this time, the County Code does require that any CUP application still pending more than 12 months from the date of submittal of a complete application may only be extended by written request of the applicant and is subject to approval of the body currently considering that application, either the Board of Supervisors or the Planning Commission. Since this application has not yet made it to the Planning Commission for consideration, the Planning Commission is the appropriate body to consider this request. And Resolution PCR24-15 would extend the time limit for this application as requested by the applicant. More specifically, the 12-month time limit for this application will expire on October 2, 2024, and has been requested to extend the time limit to January 2nd of 2025. Staff does support adoption of the resolution to extend the time limit and believes that the applicant has diligently pursued the application in good faith, and approval of the extension will provide the Commission the additional time to consider the application.

Mr. Apicella: Thank you, Ms Taylor. Any questions? Alright, thank you very much. Mr. Bratton, this is in your district, how would you like to proceed?

Mr. Bratton: I would like to proceed in favor of the extension of the permit.

Mr. Apicella: Okay, to January 2, 2025?

Mr. Bratton: Yes.

Mr. Apicella: Okay. Is there a second?

Ms. Caudill: Second.

Mr. Apicella: Alright, there's been a motion and seconded to recommend approval of the time extension. Any further comments, Mr. Bratton?

Mr. Bratton: Not at this time, no.

Mr. Apicella: Any further comments? Alright. No one else. Please cast your vote. Motion to approve carries with 7-0. Alright, Mr. Zuraf, Planning Director's Report.

PLANNING DIRECTOR'S REPORT

2. Project Pipeline Report (For Information Only)

Mr. Zuraf: Yes, Mr. Chairman, so for the Planning Director's Report, you should have received a modified project pipeline report to just adjust the, one of the items from one of the future public meet, public meetings. And also, you will note that your next meeting on September 11th, there are no public hearings. There are no other business items for that meeting. So, when that happens, the Commission has the option of canceling the meeting. So, I'll leave that up to the Commission.

Ms. Sellers: Motion to cancel.

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Mr. Apicella: Is there a second?

Ms. Caudill: Second.

Mr. Apicella: Alright, there's a motion to cancel the September 11, 2024, meeting. Any further comments, Ms. Sellers? Any further comments? Nope. Alright, all those in favor? We'll just cast your, just let's do a voice. All those in favor, say aye.

All Members: Aye.

Mr. Apicella: Opposed? That motion carries. September 11th meeting canceled. Any further issues Mr. Zuraf?

3. Capital Projects Quarterly Report (For Information Only)

4. Expenditure Report (To Date)

Mr. Zuraf: Yes. And you also received the Capital Projects Quarterly Report for information purposes, and also the Expenditure Report update, which was basically the fiscal year 2024, end of year report, just for information. And so also, you did receive a streetscape plan, something additional item we've provided to you this evening. So, with that, just to kind of summarize there, this is a streetscape plan for the Centreport Village townhouse development. It's a 494-unit project that received preliminary plan approval back in February of last year. So that one, the applicant developer, is going through the construction plan review process for the first two sections. The streetscape plan shows the entire six sections of the project, and you're getting this because there's a unique proffer that requires the Commission to receive the streetscape plan. The Centreport rezoning that happened back in 1992, and it had some, proffers in 1992 were different than what you see today. So, proffer seven, it required the applicant to provide a streetscape plan for comment and non-binding review by county staff and the Planning Commission at the time of final subdivision plan or final site plan approval. So, this proffer essentially predated when the county had landscape requirements, so it was basically worked into the proffers. So that's something you wouldn't necessarily see today, but the plan itself, it shows what you're seeing is different types of public and private street cross sections and where street buffer landscaping is located along those different street sections. The landscaping is basically in conformance with the current landscape manual requirements that we have today. So, while the proffer requires the submission of streetscape plan, the plan itself, it's not subject to any formal approval by the Commission, and since it's non-binding, the applicant's not obligated to make any changes or revisions that you might have, but it does essentially ensure compliance with the proffers. So, we're kind of checking the box. But you know anyways, that if the Commission does have any comments, we can definitely pass along any, any comments you may have to the developer for consideration in there, in this project. So, I can take any comments you may have today, or if you take that and you think of something later, send, can send us an email and let us know.

Mr. Apicella: Is this in the Hartwood District?

Mr. Zuraf: This is in the Hartwood District, yes.

Mr. Apicella: Okay, Mr. Shelton, do you have any thoughts?

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Mr. Shelton: Would you clarify for me the blue areas on private travel ways? I see the footnote says it's a 10-foot street tree planting area. This is not going to be also used by automobiles, I hope?

Mr. Zuraf: No, those, those are always going to be in any, any kind of open space areas, and that's what ends up being shaded. What you see shaded on the map, the, all the blue, red and green areas are where there is open space, where landscaping will be.

Mr. Shelton: Am I to assume that that potentially is sidewalk and plantings?

Mr. Zuraf: You'd have sidewalks, they're going to be adjacent to the street, and then the plantings are outside of the sidewalk.

Mr. Shelton: Thank you.

Mr. Apicella: Anyone else have comments? So we don't have to formally take any action on this?

Mr. Zuraf: No.

Mr. Apicella: Alright, so we'll move on. We have seen it. Is that it, Mr. Zuraf?

Mr. Zuraf: Yeah, that ends my report.

Mr. Apicella: Alright, thank you. County Attorney's Report.

COUNTY ATTORNEY'S REPORT

Ms. Lucian: I have no report.

COMMITTEE REPORTS

CHAIRMAN'S REPORT

OTHER BUSINESS

5. New TRC Submissions (*NONE*)

APPROVAL OF MINUTES

6. July 24, 2024, Planning Commission Meeting Minutes_DRAFT

Mr. Apicella: Thank you, Ms. Lucian. I have no report. There's no Other Business. Approval of Minutes. Is there a motion to approve the July, 24, 2024 minutes?

Mr. Shelton: Motion to approve.

Mr. Apicella: Is there a second?

Mr. Martinez: Second.

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Mr. Apicella: All those in favor say aye. All those opposed. Motion carries. Oh, you abstained? I apologize. So that motion carries 6-0 with one abstention (*Ms. Caudill abstained*) on the approval of the minutes.

Ms. Caudill: Because I wasn't here.

Mr. Apicella: No, that's fair. Alright, with no further business before the Commission, we are hereby adjourned.

ADJOURNMENT

At 6:51 PM, Chairman Apicella adjourned the August 28, 2024, Stafford County Planning Commission meeting.