

STAFFORD COUNTY PLANNING COMMISSION

March 26, 2025

The meeting of the Stafford County Planning Commission of Wednesday, March 26, 2025, 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, Kecia Evans, Laura Sellers

MEMBERS ABSENT: None

STAFF PRESENT: Mike Zuraf, Lauren Lucian, Stacie Stinnette, Juan Bernal

DECLARATIONS OF DISQUALIFICATION

Mr. Apicella: Ms. Caudill, please call the roll.

Ms. Caudill: Chairman Apicella?

Mr. Apicella: Here.

Ms. Caudill: Vice Chairman Shelton?

Mr. Shelton: Present.

Ms. Caudill: Commissioner Caudill, present. Commissioner Barnes?

Ms. Barnes: Here.

Ms. Caudill: Commissioner Sellers?

Ms. Sellers: Here.

Ms. Caudill: Commissioner Bratton?

Mr. Bratton: Present.

Ms. Caudill: Commissioner Evans, which I believe she will be a few minutes late. All right, Mr. Chairman, we have a quorum.

Mr. Apicella: Thank you, Madam Secretary. Are there any declarations of disqualification? Seeing none. Are there any changes to the agenda? I don't think so.

Mr. Zuraf: Mr. Chairman, no, there are no changes.

PUBLIC PRESENTATIONS

Mr. Apicella: All right, thank you, Mr. Zuraf. 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 two public hearing items on today's agenda. There'll be a separate comment period when those public hearing items come up. This is not an interactive conversation. Before starting your comments, please state your name

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and address. The clock starts when the green light appears. Yellow means there's one minute left. Red means your time, your time is up. If anyone would like to speak, please come forward now.

Ms. Maxson: Kristen Maxson, Falmouth District. Agendas are to be posted the Friday before the week of the meeting. Today's document, March 26, 2025, was 623 pages at 200 at 62.93 megabytes when placed in the agenda port, portal. Today, the packet is 726 pages at 91.22 megabytes. Once agendas are posted in the portal, it's not to be changed. This must be controlled for the fairness of the people trying to review agendas. The public protests this document abuse of not following the bylaws and modifying the agendas at the last minute, making versions impossible to track and fully understand. The March 25th budget video last night was posted as March 26th, so it is a day in the future. News not triggered by current events in the search routines will be confused. I called it in, and the date was corrected for, uh, for today. During the budget meeting, a Supervisor was missing, and little explanation was given, and there was no remote access to dial in. Brief news stated VAMPO did reorganization that same day, March 25th. Government layoffs continue to affect Stafford residents. It was announced Verizon communication was cut off Springfield to Spotsylvania prior to the meeting. On March 24th, Richmond suffered a Dominion outage across the city during the 25th cities and, and pause. During the 25th budget meeting, there was brief, there was, it was brief. A billion was called a million. A million was called 1000s. There was much confusion during the presentation, like some speakers had other things on their mind and lacked the focus. During the budget meeting, it was explained as an example Garrisonville taxes concerning 2008 bond issues were likely 2013 and a 20-year bonds and likely 20-year bonds, and need an additional 10 years to, for the debt to be matured. So this means that 2008 can last up to 20... 2033. The, the debt of the budget is 102 million. It was tallied from schools, county, and other listings, and was presented to the public. The cost of the triple star rating is 10 cents to the dollar in our budget, which is over a billion. This translates to 4 million as four cents to the dollar in a debt...

Mr. Apicella: Ms. Maxson, you're time's up. Thank you.

Ms. Maxson: ... page 7 of 22, March, March 25th, 2025.

Mr. Apicella: Okay, thank you.

Ms. Maxson: And I appreciate your time.

Mr. Apicella: Anyone else like to come forward during the public presentation portion of the meeting? Seeing no one, I'm going to close it and move on to the first agenda item. I think we're going to take items 1 and 2 together. Is that correct, Mr. Zuraf?

Mr. Zuraf: Yes, Mr. Chairman. Please recognize Amy Taylor for the staff presentation of items 1 and 2.

PUBLIC HEARINGS

1. RC23155061; Zoning Reclassification – The Arbors at Stafford – A proposed zoning reclassification, with proffers, from the B-3, Office Zoning District to the R-5, Age-Restricted Housing Zoning District on Tax Map Parcel No. 39-16, consisting of approximately 8.495 acres ("Property"), to allow for development of up to 170 age-restricted multi-family dwelling units. In general, the proposed proffers include, but are not limited to provisions that would: require the Property to be developed in general conformance with the generalized development plan; limit development to no more than 170 units; establish architectural design standards for all buildings;

permit street trees to be planted within public right-of-way subject to other approvals, require dedication of certain right-of-way; permit reduced parking requirements; and require monetary contributions towards public facilities and specified transportation improvements. The Property is located on the northwest corner of the intersection of South Campus Boulevard and Old Potomac Church Road, within the Falmouth Election District. The Property is subject to a concurrent request for a conditional use permit. **(Time Limit: July 4, 2025)**

2. CUP23155060; Conditional Use Permit – The Arbors at Stafford - A request for a conditional use permit (CUP) to allow increased residential density of up to 24.0 dwelling units per acre in the R-5, Age-Restricted Housing Zoning District on Tax Map Parcel No. 39-16 (“Property”). The increased residential density would allow up to 170 age-restricted multifamily dwelling units. The Property consists of 8.495 acres, and is located on the northwest corner of the intersection of South Campus Boulevard and Old Potomac Church Road, within the Falmouth Election District. The Property is subject to a concurrent request for a zoning reclassification to the R-5, Age-Restricted Housing Zoning District. **(Time Limit: July 4, 2025)**

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 tonight to present items 1 and 2, which are a request for a zoning reclassification and a conditional use permit for the project known as the Arbors at Stafford. The clicker is not on again. There we go, okay. As noted, this is a request for reclassification from the B-3, Office Zoning District to the R-5, Age-Restricted Housing Zoning District to develop up to 170 age-restricted multi-family dwelling units on 8.4952 acres. The concurrent request for a conditional use permit is to allow for increased residential density, up to 20.02 dwelling units per acre. This is affecting Tax Map Parcel 39-16 in the Falmouth Election District. The applicant is Marlyn Development Corporation, and Charlie Payne with Hirschler is here to represent the applicant. As shown here in red, the subject parcel is located along the northwest corner of the intersection of South Campus Boulevard and Old Potomac Church Road. The site is also located immediately west of Tax Map Parcel 39-71A, which is currently under development as a data center use known as Old Potomac Church Data Center. And for clarity, that parcel is located here. The property is currently zoned B-3, Office, as shown here in dark pink. And the surrounding zoning districts include a mix of A-1, Agricultural, B-2, Urban Commercial, B-3, Office, and UD, Urban Development zoned properties. As currently configured, the property is the remainder of a larger parcel which was rezoned twice since 1987. The most recent rezoning occurred in March of 2008 which rezoned the parcel from M-1 to B-3 as part of a larger comprehensive rezoning for multiple properties in the Courthouse Redevelopment Area. And there are no proffers established as part of that 2008 rezoning. These are existing conditions. And as shown, the site is currently vacant and undeveloped, but was previously cleared and graded in 2016 at the time of construction for the South Campus Boulevard and Abberly Waterstone Apartment Complex. The site is open and grassy with no mature trees. Topography slopes mildly to the southeast, with steeper slopes located in the northeast corner of the property and along the western and northern perimeters of the site. There's also no RPA or other sensitive areas located on the site. General surrounding uses include older single-family residential dwelling to the west and several undeveloped agricultural and commercial properties located to the north and the west of the site. Other uses in the vicinity also include the Abberly Waterstone multi-family development, which is located immediately to the south, a community college, a child care center, and general office uses all along the south side of South Campus Boulevard. And as previously noted, and I will show that again, a data center use is currently under development immediately to the east of the site on this parcel right here. These are existing conditions street view of the site. And this one is showing the northeast view of the property from South Campus Boulevard near the intersection

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of Creek Ridge Drive, which is within the Abberly development. This one shows a northwest view of the property from the same location, also near Creek Ridge Drive. This one shows a southern view of the property from Old Potomac Church Road near the intersection with South Campus. This is the GDP, which depicts the layout of the site for the proposed multi-family building, which will consist of one 3-story building with up to 170 age-restricted units. The proposed mix of dwelling units will include a total of 60 one-bedroom units and 110 two-bedroom units. Under the proposed R-5 zoning district, by-right development would be permitted at a maximum density of 15 dwelling units per acre, which would permit a maximum of 127 units based on the 8.4952 acres. The building will generally face the South Camp... will face South Campus Boulevard. And travelways and parking areas do encircle the building on all sides. A covered parking area – excuse me, a covered drop-off area is proposed at the main entrance, and a sidewalk is proposed around the perimeter of the building. And a reduced parking ratio of 1.5 spaces per unit is proposed with a total of, I believe and I didn't write this down, and I apologize for that, it's... I'm sorry, I skipped that part of my presentation.

Mr. Apicella: No worries.

Ms. Taylor: Let's see, I've got it on another slide. Or I can come back to it, if you'd like.

Mr. Apicella: Yeah, go ahead. You can come back.

Ms. Taylor: Yeah, I apologize for that. I skipped that part and moved on to the rest. I'm sorry? Two hundred sixty-two paces, spaces proposed. Thank you. And finishing that statement, there are 262 spaces proposed, which is approximately 30% less than what would be required by the Zoning Ordinance for multi-family dwelling units. The Zoning Ordinance does currently require a parking ratio of 2.2 spaces per unit, which would require a total of 374 based on 170 units proposed.

Mr. Apicella: Ms. Taylor, before you move on, I see a tree line on the south end of the property. It's probably not really the south end, but what looks like the south end to me on the slide deck. Is there going to be any landscaping anywhere else?

Ms. Taylor: Chairman Apicella, can you clarify what part of the GDP you are looking at?

Mr. Apicella: I'm looking at, these look like trees at the bottom part of the slide, from one end to the other.

Ms. Taylor: Are you referring to this area here?

Mr. Apicella: Yes. Are those not trees?

Ms. Taylor: They are trees.

Mr. Apicella: Okay.

Ms. Taylor: That is not an existing tree line; that is proposed street trees along South Campus Boulevard.

Mr. Apicella: So are there going to be any trees anywhere else?

Ms. Taylor: Yes, the site would be subject to standard landscaping requirements in accordance with the DCSL. I do believe, I did not reference it specifically in the presentation, but I do believe the staff report

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does mention that there will be a transitional buffer along a portion of this site adjacent to the existing single-family home. Otherwise, buffers are not required in any other location because they are either proposed commercial uses or vacant agricultural uses.

Mr. Apicella: Thank you.

Ms. Taylor: Mm-hmm. Resuming, retaining walls are proposed along most of the site's perimeter due to existing site conditions. And the proposed layout will also provide approximately 40% open space, which exceeds minimum requirements within the R-5 district. And there are several outdoor amenities also proposed for the benefit of the residents. Street trees will be provided...

Mr. Apicella: Ms. Barnes, I'm sorry.

Ms. Barnes: You said it was 40% open space?

Ms. Taylor: That is correct.

Ms. Barnes: Can you show me that on the... that's not, that's not the parking lot, is it? Can you show me where the open space is?

Ms. Taylor: Commissioner Barnes, much of the open space is located throughout the site. It's not specifically labeled, but these, these general areas here, recesses around parking and in between the nooks of the building are open space areas, as well as on the perimeters of the parking areas...

Ms. Barnes: Okay.

Ms. Taylor: ... would be the open space.

Ms. Barnes: Okay. Thank you.

Ms. Taylor: Mm-hmm. Street trees will be provided along the site's frontage along South Campus Boulevard. However, the location of an existing overhead power line will impact the applicant's ability to provide the necessary or the required plantings. In order to accommodate the necessary plantings, the applicant is proposing a proffer that would permit plantings within the un... the remaining undeveloped portion of right-of-way along South Campus Boulevard. This is the Comprehensive Plan's Future Land Use map, which does identify the site as being within the Courthouse Targeted Development Area. And the more detailed land use concept for the Courthouse TDA designates this property for mixed use, for commercial and residential uses, all as shown here in purple. The Comprehensive Plan also states that Targeted Development Areas are areas of the County where significant amount of development or redevelopment is expected to occur; specifically emphasizes where development will be targeted and where concentrated urban or higher density suburban development is most appropriate. The plan also establishes a goal of accommodating 50% of the projected population growth within TDAs, which recommends a total of 3,190 additional multi-family units and 5.5 million square feet of commercial development. Multi-family residential dwellings are recommended at a density of 11 to 14 units per acre within the TDA. However, the gross density of 20.02 units per acre within, proposed for this project is inconsistent with the density recommendations within TDAs. The Courthouse Small Area Plan further defines where commercial and residential uses are specifically recommended. And as shown here, the site is in an area recommended for existing and proposed mixed use and high density residential development, as depicted with the purple and brown shading shown on this map. The staff report

evaluates public facility impacts and other factors associated with this project. In that regard, a Transportation Impact Analysis was not required with this application since estimated trip generation was expected to be less than a thousand trips per day. However, a TIA was submitted which evaluated several intersections and the overall impacts to the transportation network. That study concluded that the project would not degrade the Level of Service of the transportation network. VDOT also reviewed that TIA and concurred with the findings. No impacts to utilities were noted, and the applicant will be responsible for any necessary water and sewer connections or upgrades to serve the project. No impacts to schools are anticipated due to the age-restricted limitation. Updaters, updated proffers were provided today, and do include a new proffer which limits occupancy to persons 62 years or older, but proffer language does not specifically prohibit school-age children. State Code does require at least 80% of the units to be occupied by at least one individual of 55 or over. Let's see – staff utilizes the County Parks Utilization Plan to identify needs for park facilities in a given area. The Plan does not identify this area as a priority area for more parks, in need of more parks, and the applicant... excuse me. The Plan does not identify this area as a priority area in need of more parks. However, the applicant is also proffering several recreational amenities as part of the development. In regards to public safety impacts, they would be mitigated with a per unit monetary proffer contribution that can be used towards a new fire and rescue facility. Additional factors that were also evaluated include the Senior Housing Design Standards. The applicant has provided a series of senior housing design standards which identify specific site, building, and unit features that are proposed for this project. A senior housing standards audit was also provided, which further identifies how the proposed project conforms to the criteria in the Neighborhood Design Standards Plan specifically for senior housing. This project meets 77% of the standards that apply, including those regarding location, site development, as well as building and unit design. As part of the CUP, a condition is proposed which will require the project to be developed in general accordance with the associated Senior Housing Design Standards that have been provided. Illustrative elevations depicting the proposed design of the building have also been provided, and the applicant is providing, excuse me, is proffering the general design and character of the building, including the use... the use of building materials that conform to the NDS Plan. That helps. As part of this... so we already did that one. Illustrative elevations... sorry, we did that one, too. Impacts to parking were also noted – my apologies – as the applicant is proposing a lower parking ratio of 1.5 spaces per multi-family unit, as opposed to the 2.2 spaces required by the Zoning Ordinance. However, the applicant has suggested that the standard rate is excessive for age-restricted housing, and has provided some historical parking data for similar age-restricted multi-family communities that are owned and operated by the applicant, as well as parking standards from comparable localities, which suggest that a lower parking ratio may be more appropriate. In consideration of the information provided, which does address minimum age and average aged residents, occupancy rates of the units in conjunction with the proffered shuttle transportation service, staff does believe that the reduced parking ratio may be acceptable and will provide adequate parking for the proposed development. As noted a couple minutes ago, the proffer or the applicant has provided updated proffers today. Those were sent out to everyone earlier today, and I believe hard copies were provided to everyone earlier this evening. Several of the proposed proffers were noted earlier in my presentation, but this is an overall summary of all of the proffers currently proposed by the applicant, which would: require the property to be developed in general accordance with the GDP; limit development to no more than 170 age-restricted multi-family dwelling units; require buildings on the property to be designed and constructed in general conformance with the illustrative elevations; and require the building design and materials to conform to the Stafford County NDS Plan; permit street trees to be planted within the public right-of-way along South Campus Boulevard, including enhanced planting requirements; dedicate up to 25 feet of right-of-way from centerline along Old Potomac Church Road; monetary contributions in the total amount of \$131,381 which equates to \$772.83 per unit for public safety; permit a reduced parking ratio of 1.5 spaces per unit; provide shuttle transportation services as an amenity offered to residents; monetary contributions of \$50,000 towards general transportation

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improvements along Old Potomac Church Road or in the general vicinity of the site; and the additional proffers here today shown in red are the additional proffers that were provided by the applicant today. And they include a limitation on the age of residents to a minimum of 62 years old; offering rental rates based on rent and income restrictions per IRS guidelines for low income housing; requiring specific indoor and outdoor amenities; providing two elevators with emergency and backup power. And that was it for proffers.

Mr. Apicella: There was one additional one as well, right? Notice that there's a data center nearby.

Ms. Taylor: That is correct. There was an additional one requiring notification to residents that they were in proximity of a data center.

Mr. Apicella: Okay, great, thanks.

Ms. Taylor: The second half of the presentation today is regarding the...

Mr. Apicella: I'm sorry, Mr. Shelton has a question.

Mr. Shelton: Ms. Taylor, I have a question. In the analysis, it says no sidewalk is proposed along the site's frontage. What's the rationale about if we're talking 62 year old people and no sidewalk?

Ms. Taylor: Commissioner Shelton, I do believe the logic behind that may have been in regards to the undetermined nature of the right-of-way, the remaining right-of-way along South Campus Boulevard. Staff did discuss that with the applicant and with VDOT and Capital Improvements Division regarding the intent for that unimproved right-of-way. With additional projects that have been developed in the area, there is no longer a need to expand South Campus Boulevard to the full four lanes that was initially intended. However, Capital Improvements was reluctant at that point to suggest or recommend abandonment or vacation of that existing right-of-way in the event that they did determine there may be a need for it in the future. I believe there was no recommendation for sidewalk in that location because it would be pointless to construct a sidewalk that may eventually be ripped out at a later date if the road is, in turn, expanded.

Mr. Shelton: Thank you.

Ms. Taylor: In regards to the conditional use permit, the request is specifically, the permit is specifically required to allow the increased residential density of up to 20.02 dwelling units per acre in the R-5 zoning district. The main intent of that CUP is for the increased residential density, is to ensure the development occurs in a manner that minimizes any negative impacts on residents in or adjacent to the site. Minimizing any negative impacts relates to the main purpose of the Zoning Ordinance, which is to promote the health, safety, and the welfare of residents of Stafford County. This CUP would specifically allow development of 43 additional dwelling units, which equates to approximately 25% of the total units proposed, and is 30%... 34% more than permitted by-right. Under the proposed R-5 district, the by-right development would be permitted at a density of 15 units per acre, with a maximum of 127 units. The proposal does provide 40% open space, which exceeds the open space requirements of 25% in the R-5 district, and the greatest potential impact would be to the adjacent residential uses along South Campus Boulevard. However, in this case, the intensity of the use would not be out of character with the adjacent Abberly Waterstone apartments located along the south side of South Campus Boulevard. And staff further notes that the 3-story building is consistent with the maximum height permitted in the R-5 district, as well as other structures in the surrounding area. Proposed conditions for this project

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include, associated with the CUP do include that it will limit the development to 170 age-restricted multi-family dwelling units; it will require the property to be developed in general conformance with the GDP; require the site, the building, and individual living units to incorporate universal design features as outlined in the Senior Housing Design Standard Guidelines document which was submitted by the applicant. It will also require an inter-parcel connection for ingress/egress to Tax Map Parcel 39-16J which is located to the west. It will require buildings to be designed and constructed in general conformance with the architectural elevations, including the limitation for specific building materials. They will also need to provide and maintain an NFPA 13 commercial fire sprinkler system and an NFPA 14 standpipe system for fire protection in all multi-story buildings. They will also need to provide at least one elevator with emergency power. And staff does note that obviously, proposed proffers now suggest that they will provide two elevators, both with emergency backup power. Conditions will also require them to prepare and maintain an emergency evacuation response plan. They will provide one automated external defibrillator on each floor of the building, and they will also provide ground level site lighting, as depicted on the GDP. There are several positive aspects associated with the application, which include that the proposed residential land use is generally consistent with the Comprehensive Plan land use recommendations, including recommendations for development within Targeted Development Areas. The proposed use is consistent with the residential pattern of development in the surrounding area. The development is in conformance with the Transportation Plan policies and provides additional right-of-way dedication and a proffered monetary contribution towards general transportation improvements. Proffers also ensure that the development will be consistent with what is envisioned in the application. Monetary contributions would also mitigate public safety impacts. Some additional positive notes are that the building design is consistent with the architectural guideline recommendations, and landscaping and buffering proffers will also provide enhanced planting requirements along South Campus Boulevard. Negative aspects associated with this application are that the proposed density does exceed Comprehensive Plan recommendations within Targeted Development Areas, and the proposed parking ratio is less than what the Zoning Ordinance requires for multi-family residential dwellings. While the proposal is not fully consistent with the Comprehensive Plan land use recommendations, the proposed use is compatible with the existing residential development in the surrounding area and supports the recommendation for high density residential development, as well as the total number of multi-family units within the Courthouse Targeted Development Area. Staff also feels that the reduced parking ratio may be acceptable for this case, and that the 1.5 spaces per unit will provide adequate parking for the project as proposed. Based on this information, staff is generally supportive of the project and recommends approval of both applications for the zoning reclassification, with proffers, pursuant to Ordinance O25-09, and the CUP, with conditions, pursuant to Resolution R25-75. That does conclude my presentation, and I will be glad to take any questions.

Mr. Apicella: Thank you, Ms. Taylor. Other questions for staff? Ms. Caudill?

Ms. Caudill: Thank you for that. I do have a quick question, just for my knowledge, since I'm semi-new still. The trip calculation – so is that based off of, like a formula, or, like a manipulation of numbers, or what, how, how do you go about getting that information?

Ms. Taylor: Commissioner Caudill, traffic generation is based on the Institute of Traffic Engineers trip methodology, which derives an average number of trips based on a number of studies that were done for similar uses. In this case, trip generation was based on, I believe, an age-restricted community, and that is usually based on the number of units provided. And those, that study did reveal... what did I say? I think it was 551 trips were expected as an average rate for a facility of this size.

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Ms. Caudill: Okay. And then a follow-up question to that. Am I correct in saying there's no way to enforce that limitation on the, on the traffic?

Ms. Taylor: As far as the trip generation?

Ms. Caudill: Yes.

Ms. Taylor: Staff could potentially impose a condition, or the applicant could choose to provide a voluntary proffer, which limits their trip gener... trip generation to the 551 that is noted in the TIA.

Ms. Caudill: Okay. Thank you.

Mr. Apicella: Other questions? Ms. Sellers?

Ms. Sellers: This is just age-restricted. This is not for different levels of care, right?

Ms. Taylor: Commissioner Sellers, that is correct. Age-restricted only.

Ms. Sellers: Okay. And with the proffer for the transportation improvements along Old Potomac whatever road, what projects do we have along Old Potomac Church Road?

Ms. Taylor: Commissioner Sellers, in discussions with Capital Improvements, I don't believe they had any specific projects in place already along Old Potomac Church Road. The proffer was simply offered as an additional component for this project. We did ask or recommend that they provide some improvements along Old Potomac Church Road to possibly provide sidewalk out there. The Comprehensive Plan's Pedestrian Plan does recommend, I believe it is a multi-use trail along Old Potomac Church Road. Other projects have provided an easement along a utility. They've provided... they are constructing a trail; a trail is planned along an existing utility easement along the rear portions of properties on the east side of Old Potomac Church Road. Knowing that we would not necessarily get a trail on this portion of Old Potomac Church Road, we recommended, suggested a sidewalk in that portion. The applicant indicated that existing site conditions along that section of Old Potomac Church Road were not really conducive to constructing a sidewalk, and they chose to offer the \$50,000 proffer towards whatever improvements the County felt would benefit that area.

Ms. Sellers: Okay. And then with the, with the shuttles, I guess that's going to, potentially, like the commuter lot, because 62 is not that old. I know we call it senior housing, but, you know...

Mr. Apicella: Thanks.

Ms. Sellers: ... let's be honest, 55 isn't that old either, you know. This is the type of narrative my father uses to give me to mow his grass, but this is not that old, so.

Ms. Taylor: Commissioner Sellers, I would have to defer to the applicant. Their impact statement does indicate that the shuttle service would run to medical appointments, shopping in the area, but I would have to defer to the applicant as far as stops at the commuter lot.

Ms. Sellers: Okay. Just kind of, yeah,. I just, I just want to make sure, you know, it's senior-ish, 55 and 62 is, is definitely along the Gene Sellers line of thinking of senior.

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Mr. Apicella: Other questions for the applicant?

Ms. Caudill: I've got another.

Mr. Apicella: Okay, Ms. Caudill.

Ms. Caudill: And this might be, you might have to refer to the applicant, but in the Senior Housing Design Standards, it says apartments will not contain stairways. What does that mean? Like, if there was a medical emergency, how would... an elevator or the power went out, how would that...?

Ms. Taylor: Commissioner Caudill, I would have to defer to the applicant, but I would assume that the individual units will not contain stairways. They would be one level units.

Ms. Caudill: Okay.

Ms. Taylor: Obviously, the building itself would have emergency stairways. They would just not be within the units themselves.

Ms. Caudill: Okay.

Ms. Taylor: But again, I would defer to the applicant for official clarification.

Ms. Caudill: Thank you.

Mr. Apicella: Ms. Barnes?

Ms. Barnes: So I do have a question about the 80/20 thing. Not really sure how that works. So it sounds like 80% has to be 62 or over. Is that... because I, you know, I'm trying to think of how, how does that work? Does, does 20% have to be available? Does 20% *have* to be people younger than 62? So, how does that work?

Ms. Taylor: Commissioner Barnes, I would have to defer to the applicant regarding their specifics, regarding their proffer language. The reference I made earlier regarding the 80% comes out of State Code, although I would have to possibly maybe defer to Mr. Zuraf who might be more familiar with that. I had not had a chance to check into the specific language in State Code regarding that. But that reference indicated that it was, I believe, per State Code for age-restricted units, 80% of the units had to have some, at least one resident 55 years or older within them. Any, any more detail regarding those requirements I am not familiar with at this time. I do not know whether Mr. Zuraf may be.

Ms. Barnes: No? I'm wondering if it's, you know, it's, it's, the devil is in the language, is it at least 80%? So I'll ask the applicant when he gets up here, because, you know, that that's the one part that concerns me. If, if there's 20% aren't age-restricted and there's no restriction in the proffers, then you very well could have children living there. Okay, thank you.

Mr. Apicella: Other questions? All right, I'm sort of going to piggyback off of my colleague's questions. So, in terms of Marlyn Development and, and the projects that they've done before, and the evidence that they've provided in their parking justification, and they've put in a restriction of 62 years old. So these would primarily be independent living units, right?

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Ms. Taylor: That is correct.

Mr. Apicella: And again, based on their business model, and I appreciate the point about 62 because I'm coming close to that pretty soon myself, that not that withstanding again, back to their business model and the project that, that they have I think in Culpeper and elsewhere, they tend to, the apartments tend to populate with retired individuals. Is that, from, from what they've told you and the evidence that you saw, is that correct?

Ms. Taylor: Chairman Apicella, I would have to defer to the applicant. I don't believe that level of specificity was provided by the applicant regarding who specifically is populating their communities. They did provide information, again, regarding minimum age requirements and average age requirements. And I do believe that they have indicated that their average age tends to be 70, average age of residents is 70. But again, retirees versus non-retirees, I would not be able to speak to.

Mr. Apicella: That part I may be splitting hairs, but it's, the point is, again, going back to the parking issue which has been a concern of mine, and the information that you saw, they tend to have some apartments where they don't even have drivers. That's, again, from the information that I saw, which led them to justify why they didn't need to have as many spaces as we would otherwise require.

Ms. Taylor: Commissioner, Chairman Apicella, yes. In discussions with the applicant, they did indicate that in a lot of their other communities, many of the residents do not even own a vehicle. Many, obviously, many only have one, but many of the residents also do not own a vehicle which was part of their justification for the lower parking ratio.

Mr. Apicella: Okay. Just a couple of broader questions. We did our Comp Plan not too long ago, and based on that last update, do we have a sufficient stock of senior housing in this area?

Ms. Taylor: Chairman Apicella, staff has not had an opportunity to look into that. I know that there are a handful of age-restricted residential communities in the County. Obviously Celebrate Virginia is one of them. I do not recall the name, there is another age-restricted multi-family development on Mountain View Road, which is an older community. Trying to think off the top of my head, I know we probably have about four or five specifics, specific numbers and specific names of those communities. Staff is unaware of it this time.

Mr. Apicella: Okay. All that said, again, kind of going back to what we looked at a couple years ago in terms of numbers with a potentially aging population in Stafford County, do we need more age-restricted housing, senior housing in Stafford County to keep up with demand?

Ms. Taylor: Yes, there is a need for age-restricted housing in the County.

Mr. Apicella: Okay, okay, I just wanted to make sure that we're kind of on the same page, that this isn't an anomaly. This is something that we've, we've projected that we need and might want going forward.

Ms. Taylor: Yes, sir, it is.

Mr. Apicella: Okay. Any further questions for staff? All right, thank you very much. Would the applicant like to come forward?

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Mr. Payne: The way I just moved I might need to move in there pretty quick. That was not very smooth. Thank you, Mr. Chairman, other members of the Planning Commission. My name is Charlie Payne. I represent the applicant. I appreciate your time this evening. Amy covered a lot of the bases and a lot of information, so I'll try to get through this pretty quick and then answer some of the questions that came up during the Q and A with staff. But just real quick, I'm representing the developer, which is Marlyn Development Corp. out of Virginia Beach. They have several age-restricted development projects that are, have been built and currently operating, you know, anywhere from the range of the past 20 to three years. And obviously they're very attracted to Stafford County and the growth that's occurring in Stafford County. And there is a need for this particular area of the County for age-restricted use, inventory use... I'm sorry, age-restricted housing inventory. If you, if you think about the typical age-restricted housing inventory we have in the County, a lot of it is single-family detached, and not a whole lot of multi-family, of course, and not a whole lot of multi-family near the hospital. So that's another attraction to the particular area as well. So just real quickly, staff had noted, this is one parcel. It is roughly about eight and a half acres, is located right off of South Campus Boulevard near the intersection of Old Potomac Church. And to the question about Old Potomac Church, there are improvements planned for it. There just isn't a whole lot of revenue available to make those improvements. You may recall, the Amazon project is building a portion along their property line of improvements on Old Potomac and curb and gutter and sidewalks and all those good things. And they're also, the Amazon project has proffered cash for that particular area. I think it's a half a million dollars, and then also \$150,000 for future light at the intersection of South Campus and Route 1. So there is some money trickling in for those improvements, but right-of-way is the big issue, quite honestly, which is why we dedicated right-of-way along Old Potomac Church and contributed cash, as well, on top of that of \$50,000 and you'll see that. The previous rezoning as staff noted was back in 2008; B-3, which is office. I think we all know office is struggling to make a comeback since COVID, and for 17 years it's been zoned this, this zoning district. It's off the beaten path. It's not attractive for retail, and as I noted, office is not in play. So to me, this is a very good use for this particular area. We have an R-5 zoning for this specific use. It also requires a conditional use permit because we're exceeding the maximum of 15 units to the acre to 20, just a little over 20 units to the acre. As I noted, the project is located within your Courthouse Small Area Plan, which does encourage high density residential development near your courthouse. I mean, one of the big, big pushes has been for past several years is for Stafford County to create a center, and the Courthouse Area was designated as that center. There's been some incremental growth, so encouraging more growth in the area, again, with a diverse housing inventory seems to be very positive, in my opinion. We are asking for 170 units, age-restricted units, and they are one- and two-bedroom units. What we have found, what my client has found, the average age in these units, or in their, in their projects, is roughly 72 to 75 years of age. Many of them are single residents who do like two bedrooms because they have guests and family members who come to visit. Which is why, you know, a lot, one of the reasons why there is just less dependency on vehicles. And of course, the shuttle plays a role, too. The shuttle, and I'll get into a little bit of that. The shuttle is basically there during, you know, during the week for use to go the pharmacy, to go to the grocery store, to go shopping, go to, you know, sightseeing, do all the wonderful things you want to do. And there are also weekend events as well, for use of the shuttle. You guys may know this, the Comprehensive Plan encourages like 31... 3,190 units in this particular Courthouse TDA by 2036. Multi-family units. Right now, we're about 410, so this is not pushing the envelope by any sense of the meaning in regards to density in the area. And again, I think it's a nice inventory to be acting, contributing, I'm sorry, to the to the area. No impact to schools, of course. I think someone had asked a question, and maybe it was Ms. Barnes. These are 62 and older, not 55 and older. The statute you were referencing talks about 55 and older being 80/20 under Virginia law. Even at 20% it can't be school-aged kids. They have to be 18 or older in order to live there. But that's not our case here. Our case here is we're limited to 62 or older, so we don't fall into that 55 or older bracket that requires an 80/20 mix. That's part of our new proffers, by the way. So I'll get into

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those in a little bit. And again, I think this is a good positive new housing inventory; a different type of housing inventory other than single-family detached or towns. Here's a layout of the site. I think Ms. Barnes had asked about the open space. Everything you see is green is an open space.

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

Mr. Payne: Yeah, and I think somebody had asked, you know, about and here are the proposed plantings as well. I think maybe Mr. Apicella or somebody had asked about that. And we also have a landscaping plan in our GDP. I think it's sheet eight or seven if my memory serves me. Not bad for an old guy. And we got one entrance point off of South Campus. There will be an inter-parcel connection to our west. As you guys may know, there's also another project that is a market rate multi-family project. It's a mixed use project that's to the north. There'll be some inter-parcel connections there, if that project is ever approved. And of course, the question about sidewalks along the frontage – one of the things we ran into in regards to this project is not only the limited right-of-way along South Campus and what the use would be. But also there's utility right-of-way, which makes it tough to get some sidewalks in there, and also to get the tree plantings we want in there for buffering. So it was, in our opinion, it was more appropriate to push for the tree landscaping than to try to push for land for, for sidewalks that, as staff noted, may very well get torn up into the future. Here is the elevations that we've proffered as the design building materials. And there is a design standard that staff has referenced we must follow, a Neighborhood Design Standard that is in the CUP. And there's, I don't know if you guys have a copy of it, it's about four pages and lists all the various different design requirements. And here are the proffers. Just, again, no more than 170 age-restricted multi-family units. We will have enhanced street buffering along South Campus Boulevard. We are dedicating approximately 25 feet of right-of-way along Old Potomac Church. Again, also proffering \$50,000 in cash for transportation improvements. We are proffering to have up to 1.5... I'm sorry, 1.5, parking ratio of 1.5 vehicles per unit. You'll see here in a little bit in a slide that our average for all the projects is about 0.68 parking, parking spaces per unit from the projects that the client has developed, and we'll show that analysis. You have it in your staff report as well. We'll also have a shuttle service, and we're also contributing to public safety of over \$131,000. We have restricted residents of 62 years or older. The rent for the units will meet 60% of the average median income requirements for the metro, Washington Metropolitan Area. That is also in our revised proffers. The amenities will include, this is also added proffers, media room, fitness center, multi purpose room, business center, library, beauty salon, and billiards room, and a dog park, grilling, and a gardening area. We'll have at least two elevators with backup generators. That's one of the design standard criteria that's typically required. Mr. Apicella, thank you for catching that from the Naomi Road project. We'll have multiple, we'll have more than two elevators in the in the facility, but we'll at least have two with backup generators; basically backup power elevators, as Mr. Shelton knows. And one of the other important things I know that the Planning Commission wanted to make sure we tackled was notice the residents about the nearby data center use. Here's the parking justification analysis as staff noted.

Mr. Apicella: I'm sorry, Mr. Payne. Ms. Barnes?

Ms. Barnes: Just out of curiosity, the notice about the data center. How are you going to do that?

Mr. Payne: The way we have it written is, before they sign a lease, they'll be notified of the data center, which would be located just to their immediate east. Did I say that right, Brian?

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Ms. Barnes: The timeline for that data center... oh, I'm sorry. Yes, thank you. I've done this before. The timeline with the data center is being built, the first building is going in. I can see the second building is not going in yet. The one that's closer to...

Mr. Payne: Right.

Ms. Barnes: The timeline on that, when this gets built, and possibly that second building gets built, what's going to happen with all the construction traffic that's going to come up through Old Potomac Church? Because that's going to be, that's going to be a lot of construction traffic for both those projects there. So I don't know if the timeline is staggered, and since you're representing both, you might know that better.

Mr. Payne: The first building should be completed, for the data center project, I would think towards the end of this year, maybe first quarter 2026. The second building, I would think, is probably 12 to 14 months after that. Remember, there's also a proffer amendment floating around that's coming back to you guys. That project has a specific construction plan, mitigation plan. This project does not, per se; it's a smaller project. Brian, I don't know when you anticipate starting construction, as soon as, I guess, you get all your permits and site plan in place. It'll probably, you know, it takes, I can't speak for staff, but usually it's about 18 months after a rezoning is approved to get your site plan and other permits in place. So I would think they're probably, the first building to be done for the data center, second building will be underway. So I don't think it's going to be a big sort of crossover, if you will.

Ms. Barnes: Yeah, my concern is, is if that, if that senior housing gets built and then the second building is started, then we've got, you know, seniors, seniors versus big construction trucks. And that just, you know, just something to think about. And it concerns me a little bit.

Mr. Payne: Yeah, I get it. Agree. Remember, that data center project has a specific construction mitigation plan. Don't forget, there's a child care facility right across the street as well. So I defer to staff on how that process is going; I assume pretty efficient, because no one's called and told me to get it straight, so. But yeah, I think that's a good point, but we'll take that in consideration as we move forward. And this is just our parking justification. Again, 262 total spaces, again, about a 30% reduction. The average parking spaces per unit at all of these other facilities is about 0.68. You know, respecting the County's desire to have at least 2.2, we thought 1.5 was a good, good sort of middle place, especially given that we don't quite honestly don't have a lot of cars on site. I don't know if you saw the parking memo that we put together. I mean, Mr. Harvey, at Legacy put it together, but just doing an overview at the Culpeper site, it was a pretty empty parking lot. But, you know, you know, you could have visitors, you have family members coming. So we think the one and a half makes a lot of sense. And you know, typically with age-restricted projects, they, they're positive tax generators. Not only do they not because they don't use a lot of County services like schools, which is the big one, so this project will generate annually about roughly 360, \$360,000 at full build-out. And we did this FIA forever ago, so I'm sure that's a little bit higher now. And I'm happy to answer any questions. And if I didn't cover the questions, there are no stairways in the units. There, of course, are stairways in the facility. The traffic count, there is a traffic count question that we did perform a Transportation Impact Analysis. We did use VDOT's ITE modeling requirement on traffic count. The AM peak hour traffic was 34 trips in the AM during rush hour and then the PM was 43, so that's a low traffic generator. The project, at all the key intersections, does not degrade the Level of Services at those intersections. So there's, there was no recommendation for improvements or anything of that nature. But we did proffer cash, and we did proffer right-of-way dedication to help with Old Potomac Church Road. And I think that was all the questions. Did I miss something? I'm happy to answer.

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Mr. Apicella: Ms. Caudill?

Ms. Caudill: So you, you had mentioned obviously the visitors. Is there a time limit on the visitors? So if someone wanted to come and stay, could they stay for three months?

Mr. Payne: Have you had...?

Mr. Staub: Time limit. I think seven days is the max.

Mr. Payne: So you have, you have policies for...

Mr. Staub: There's policies.

Mr. Apicella: We're not going to be able to hear you on the tape. So if you don't mind coming up.

Mr. Staub: Sure.

Mr. Payne: Brian Staub with Marlyn Development.

Mr. Staub: Mr. Chairman, Commissioners, the management company will have policies in place. It will be in the lease agreements that limit, I think it's seven days every six months I believe is what the policy is. But we're very cognizant of that. It's not typically abused, and it's never been an issue at any of the facilities that we have, which are probably about over 2,000 units now.

Mr. Payne: So you probably, like a lot of age-restricted units, it's self-monitored a lot. The neighbors telling each other... *inaudible*.

Mr. Staub: Very self-monitored.

Mr. Apicella: Okay, go ahead, Ms. Caudill.

Ms. Caudill: One more question, and then I'll stop for a few minutes.

Mr. Payne: Oh, you're good.

Ms. Caudill: The proffer per unit, the \$772.83, where did you get that number from?

Mr. Payne: So we do as part of our impact analyzes, we've got to perform a impact analyzes on schools, of course, no impact, parks, and then also on public safety and, of course, roads. And so when we do that, we look at the cost impact of the project, and then what the capital improvement plan is for public safety. And then if we, you know, trip that impact, we've got to pay whatever that cost is divided by the number of units. So that's how we got that number. And that's part of our, it should be in your packets, part of our... *inaudible*.

Ms. Caudill: Yeah, I had seen that because I was doing some research on a couple of the other ones that since I've been on the Commission and like they range anywhere up to \$900 per unit. So I was just wondering where that number had come from.

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Mr. Payne: Yep. And it depends, you know, on the density, depends on the users. It has various different components to it.

Ms. Caudill: Thank you.

Mr. Apicella: Mr. Shelton?

Mr. Shelton: A couple quick questions, Mr. Payne.

Mr. Payne: Yes.

Mr. Shelton: Is the generators for the elevators, is that just for the elevators, or is it what we call whole house generators? Does it supply the entire complex?

Mr. Staub: Those generators will supply the elevators as well as emergency lighting throughout the property. There might be a couple other systems that will use that as backup power, but it does not power the whole property, just emergency service...

Mr. Shelton: The life safety code requirements.

Mr. Staub: Yes, sir.

Mr. Shelton: Okay, that's what I was after. Second question, you note in here, NFPA 13 and 14 on sprinklers and standpipes. Do you propose a 13-D dwelling or are you using a commercial 13?

Mr. Payne: There's an old firefighter right there.

Mr. Staub: I know. Here comes the curve ball. I don't want to answer that question incorrectly, so I'd have to provide the answer at a later point in time.

Mr. Payne: You're meeting building code requirements.

Mr. Staub: We would meet the code requirements.

Mr. Shelton: Okay, thank you.

Mr. Apicella: Other questions? Ms. Sellers?

Mr. Payne: A young firefighter, I should say.

Ms. Sellers: This may be for staff, too, but on the transportation, so with a project like this and then the market, then the market rate apartments, we're getting into this territory where the County can now work through the old FRED, or whatever we call it now, to potentially get bus service back up here through grant, federal grants. And so I wonder if there's a way to broaden this language to maybe one day not have you guys offer a shuttle service, but go from a regional approach to maybe go for something more FXBGO! because with it being age-restricted and it being low income, then you can get into those federal, federal grants that would really help the region Go after some money to bring the shuttle service up here. And so...

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Mr. Apicella: I thought I read in the impact statement there is a shuttle provided, whatever it's called now, a bus stop close by, maybe not right in the immediate vicinity of the apartment complex, but somewhere nearby.

Mr. Payne: Right. I think it's up on Route 1.

Mr. Staub: I think it's... inaudible.

Mr. Payne: Say it again.

Mr. Staub: In Abberly.

Mr. Payne: It's in Abberly, I'm sorry.

Ms. Sellers: Yeah. So my question is, can we, because their shuttle 5b is very specific to the shuttle that they have to provide, but can we broaden the language to maybe, you know, say, you know, or potentially go after some regional or county or something, so that if there's an opportunity for the region to use this site, because it will, it is something that could, could allow the Fredericksburg region to go after a federal grant in a way that the County can't do it right now. We just, we don't have something like this right now, but this particular site, and I think it's 5307 but don't quote me on that. And Fredericksburg gets a lot of money for it, Spotsylvania gets money for it, and we are able to do some of these things, but Stafford just hasn't been able to capture it, particularly in North Stafford, so.

Mr. Payne: Yeah. So this is a specific amenity for the use, so we prefer not to share. I mean, it's literally, you know, it's for our residents. I'm not, I'm not discounting the need for more public transportation. The other thing is, this is not low income. This is, you know, this is affordable housing for age-restricted users. So, not that we wouldn't desire for more public transportation in the area, this, this really helps attract residents to our site to have that specific amenity. There are other projects I know that are coming in the vicinity that are addressing more public transportation initiatives. They're just larger, just that need, that need additional types of transportation.

Mr. Apicella: Ms. Barnes?

Ms. Barnes: Not to beat a dead horse, but I'm still a little stuck on the 80/20. You said 62 and over. The State Code is 55 and older has to be 80%.

Mr. Payne: So there's, there's... so 55 and over, there's sort of two, excuse me, so there's sort of two classifications, if you will. Where you, remember, we've got a Fair Housing Act, right, that says you can't discriminate. And then there's a sort of sub part that says, well, you can allow certain ages to live together, right. And there's a 55 and older, and there's... in the category we're in is 62 and older. The 55 and older requires the specific 80/20 mix. The 62 does not.

Ms. Barnes: So 62 is not necessarily a subset of the 55.

Mr. Payne: That's right.

Ms. Barnes: It's independent.

Mr. Payne: That's right.

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Ms. Barnes: Okay.

Mr. Payne: That's exactly right.

Ms. Barnes: Thank you.

Mr. Payne: Yep, and I know enough about that to be dangerous, so.

Mr. Apicella: At this point in time, what do you think the market rates are going to be for the one- and two-bedroom apartments?

Mr. Payne: Fifteen hundred for one and...

Mr. Staub: Seventeen-fifty.

Mr. Payne: ... \$1,750 for two.

Mr. Apicella: Okay. Are there other questions for the applicant? All right. Thank you very much.

Mr. Payne: Thank you.

Mr. Apicella: Okay, I'm now going to open the public hearing on this matter. This is an opportunity for the public to give their views on this, on these public hearing items. 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 you're interested, please come forward now.

Ms. Maxson: Kristen Maxson. As I explained, the agenda today grew over 100 pages at the last minute, so information change is questionable. Down the road, Attain apartments is another project in the area since the question was asked by a Commissioner during the presentation today. Next point, the Bowman figure two showing EDA radius map is a cartoon of incorrect data concerning wetlands, and should not be referenced in this study. Page 343 of 623 or 700; that's referencing the old page number. Traffic data of the South Campus Boulevard/Route 1 and Old Potomac Church Road intersections are missing in the traffic report. This is the entrance road area. This traffic study was taken from the hospital area two-thirds of a mile away and not, not a true dedicated report. Arbor has six intersections identified, but only three are given in the traffic report, which is three years old. Contained financial information dated March 8, 2023, is before, before the inflation hit of 2024 and figures will be off. The edit radius map report GEO check is incomplete due to the unrecognized address of 101 Hospital Center, which is addressed one mile away. So it's giving an address one mile away for information for this study. Arbors, 36, 39 tax map 39-16 is defined as unmapped property. This property was not found as defined by the certification of 1FA3- 4B855D, Library of Congress and other references, pages 464 of 726. Address for tax map 39-16 is assigned to the address 124 Old Potomac Road, which is a tax map belonging to 39-16P. This is the address of Germanna College across South Campus Boulevard, 1/3 mile away. This is the wrong address and should not be used. There are two tax map IDs related to this tax map. A tax map is to be unique. One is related to across the road, the pump station. This parcel is no more wider than, is considered an egress, is no more wider than four lanes. It's a triangle across South Campus Boulevard, and it has not been defined as what is contained in the legal description of this. And I'm out of time. I want to thank everybody here. Please look into the tax map address.

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Mr. Apicella: Thank you very much. Is there anyone else who'd like to comment on this item? All right, seeing no one, I'm going to close the public hearing. Mr. Payne, any further comments?

Mr. Payne: No further comments.

Mr. Apicella: Okay.

Ms. Caudill: Actually I've got one more question.

Mr. Apicella: Sorry. You've got a, you've got a question for staff or for the applicant? Okay.

Ms. Caudill: Sorry, I promise this is the last one.

Mr. Payne: That's okay.

Ms. Caudill: For now, for the next five minutes. All right, so on the the Senior Housing Design Standards again, on page 5 of 6, it says all units will contain a bathroom, clear floor space depending on final floor plan mix, some unit bathrooms will contain ADA-defined turnaround space. So with that being the 62 and older now, not saying that that's old, that's very young, but...

Mr. Payne: Thank you.

Ms. Caudill: ... how do we know how many bathrooms? Like, how are you going to justify, oh, well, it could be one bathroom, or is it going to be 10, 15, 20?

Mr. Staub: So every apartment would have at least one bathroom with the ADA-defined turnaround space. If we can get a second full bathroom into an apartment, maybe for a guest or a visitor, it might not have the ADA turnaround space, but there will be another bathroom within that unit that has the turnaround space.

Ms. Caudill: Okay. Thank you.

Mr. Staub: You're welcome.

Ms. Caudill: That's all my questions for now.

Mr. Apicella: Thank you, Ms. Caudill. No one else? Okay, great. Since this project is in my district, I'm going to pass the chairmanship over to Mr. Shelton.

Mr. Shelton: All right, I'll entertain a motion to, on the project.

Mr. Apicella: Mr. Chairman, I'd like to make a motion recommending approval of the reclassification associated with the application for the Arbors at Stafford.

Ms. Caudill: Second.

Mr. Shelton: Discussion, Mr. Apicella.

Mr. Apicella: I'm gonna wait until the conditional use permit to provide my comments.

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Mr. Shelton: Ms. Caudill.

Ms. Caudill: I think it was a great idea for the 62 and older, because that would have added like 10 more questions for me. So I'm glad that that, that was put in there, and then I do appreciate you all answering all of my questions as well. Thank you.

Mr. Shelton: Any other additional questions? Okay, we'll call for the vote. Please cast your vote. Tally the vote. Passes unanimously. Correction, 6 to 1 (*Ms. Barnes opposed*).

Mr. Apicella: Mr. Chairman, I'd like to make a motion recommending approval of the conditional use, conditional use permit application associated with the Arbors at Stafford.

Mr. Shelton: Do I have a second?

Ms. Sellers: Second.

Mr. Shelton: Discussion?

Mr. Apicella: Mr. Chairman, I greatly appreciate the applicant working with us on this project and adding very important additional proffers that we were provided today. I also want to thank them for providing a very robust list of senior housing features that meet most of our guidelines, and I think those will be very important for the age group that's being targeted here. Ultimately, I think this is a great project in a good spot, being very close to the hospital, again, given the specific group of folks that they're looking to fill these apartments. And it also fills an important need in this area, as well as throughout the whole County. I hope we'll see more projects like this in the future, and I hope my colleagues will support it as well as the Board of Supervisors ultimately.

Mr. Shelton: Thank you. Ms. Sellers, any additional comment?

Ms. Sellers: Yeah, I echo what the Chairman says. Senior-ish... senior-ish housing is necessary in North Stafford. I think Embrey Mill might be one of the lone areas where you have it. You do have the property over there at Mountain View, but that's might be pushing 20 years old at this point, and Embrey Mill sells out pretty fast. That's why we have the next one coming up to extend the deadline. So it is needed up in North Stafford. And something we didn't talk about and didn't point out is the location of Marion Manor. And for those of us who, you know, went to high school here and were part of National Honor Society, did a lot, spent a lot of time there at Marion Manor with the folks who were residents of Marion Manor with dementia or Alzheimer's, and reading to them and spending the holidays with them. So I think it's a really great location there, and it kind of honors that. Marion Manor is still there, it still is active, but we don't talk about that, and it gets hidden as the growth is happening. So I think it's a great location, and certainly needed in North Stafford, so I'll be supporting it.

Mr. Shelton: Thank you. Miss Evans, question?

Ms. Evans: Nope, no questions.

Mr. Shelton: Ms. Caudill?

Ms. Caudill: No, this, this will be with the new proffers, though, all, right? Like now the old ones will be... okay. No more.

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Mr. Shelton: Ms. Barnes, any additional? Mr. Bratton?

Mr. Bratton: No.

Mr. Shelton: I'll call for the question. Please cast your vote. Tally the vote. Six to one (*Ms. Barnes opposed*); motion passes.

Mr. Apicella: Thank you, Mr. Shelton. Congratulations. We'll move on to the next item on the agenda. We have no Unfinished Business. I believe we do have some New Business associated with the Embrey Mill Phase III CUP time extension. Mr. Zuraf.

UNFINISHED BUSINESS

NONE

NEW BUSINESS

3. Application Time Extension – A request to grant a time limit extension for action for multiple zoning reclassification and conditional use permit applications, pursuant to Stafford County Code Sec. 28-162, "Review and requirements," and Sec. 28-185, "Conditional use permits," for a project known as Embrey Mill Phase IIIA.

Mr. Zuraf: Mr. Chairman, please recognize Ramin Sadiq. He's one of our new long range planners. You guys have not seen before in front of the full Commission. So he'll be here next, he'll be here at the next meeting with a full case, so.

Mr. Apicella: Welcome. We'll just barrage you with about 100 questions that I hope you'll be able to answer.

Mr. Sadiq: Thank you. Good evening, everyone. So this agenda is about time limit extension for two applications about Embrey Mill Phase IIIA, which is one zoning reclassification and one CUP, conditional use permit. And the, the 12 month deadline finishes at March 22, 2025. And based on the Stafford County Code Section 28-162 and Section 28-185, the conditional use permit application and zoning reclassification needs a formal written request for extension to get approved by the Planning Commission or Board of Supervisor. So this project specifically is a proposal to amend proffered condition on Tax Map Parcel Number 29-53B, consisting of 65.5 acres zoned PD-2, Planned Development-2 to modify the current type of development permitted. The current conditional use permit CUP would allow retirement housing in the PD-2 Planned Development zoning district consisting of up to 252 town homes. The applications are currently scheduled... not scheduled for any public hearing for the public, for the Planning Commission and the 12-month time limit is passing March 22, 2025, and we got a request from applicant on February 20, 2025, and requesting six months of time limit extension until September 22, 2025. So in that sense, staff and applicant are actively working on that, and we are hoping that soon, maybe within a month or two, we will conclude our final discussion, and then it will come to Planning Commission for public hearing. So in that sense, staff support the adoption of Resolution PCR25-07 and to approve the time limit extension for these two applications. Thank you.

Mr. Apicella: Thank you very much. Questions for staff? All right, thank you. Ms. Sellers, this is in your district. How would you like to proceed?

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Ms. Sellers: I move for approval.

Mr. Apicella: Okay, is there a second?

Ms. Caudill: Second.

Mr. Apicella: All right, motion and seconded to approve. Any further comments, Ms. Sellers?

Ms. Sellers: Just a point of clarification. This is, this is just to change the condos to town homes, correct? We're not adding capacity or adding units, right? That's this, that's what we're doing with this one.

Mr. Zuraf: Mr. Chairman, correct. This really, and you'll see with this when, when it's presented, it is changing the makeup of what units were already permitted. There were commercial apartments approved in this area, and it's converting them to age-restricted townhomes.

Ms. Sellers: Okay, that's what I wanted to double-check. With that, I move approval.

Mr. Apicella: Okay. Ms. Caudill, any comments?

Ms. Caudill: Welcome.

Mr. Sadiq: Thank you.

Mr. Apicella: Anyone else? All right, motion to approve. Please cast your vote. That motion carries unanimously. Well done, sir. All right, moving on to the next item, Planning Director's Report.

PLANNING DIRECTOR'S REPORT

4. Project Pipeline Report (For Information Only)

Mr. Zuraf: Mr. Chairman, the only thing I have is in the your package, you received the Project Pipeline Report. You'll see the future meetings, and we do have some public hearings teed up for the next few meetings. And that concludes my report this time.

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

COUNTY ATTORNEY'S REPORT

Ms. Lucian: Good evening, Planning Commissioners. I do have a report tonight. I just wanted to let you know that I won't be here at the next meeting. I'm going to be attending the LEAD program at UVA that week. So you'll have the County Attorney, Ms. Rysheda McClendon, here for the evening.

Mr. Apicella: Well, we'll miss you. And I hope all goes well at your meeting.

Ms. Lucian: Thank you.

COMMITTEE REPORTS

5. Campground Ordinance Subcommittee

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Subcommittee Reports – March 20, 2025

Next Meeting: Wednesday, April 2, 2025 @ 5:30 PM; ABC Conference Room

Mr. Apicella: All right, moving on to Subcommittee Reports, Campground Ordinance. Ms. Caudill.

Ms. Caudill: So yes, we had our first meeting on March 20th at 5:30. It went very well. And do I read off the talking points?

Mr. Apicella: You don't have to. You can say whatever you want to say. Do you have another meeting in the queue?

Ms. Caudill: We do.

Ms. Barnes: Cliff notes.

Ms. Caudill: The cliff notes. Okay, so we were just trying to see how we could include County Code and State Code in, in the definition of campground. And then the committee and staff raised some questions, and we talked about those questions, as far as like density and different things along those, those things. And then we also talked about the staying overnight, and how long someone can stay. So like 14 days, 15 days, 16, like however long we decide to do, and then we do have another meeting scheduled for April 2nd at 5:30 in the ABC Conference Room.

Mr. Apicella: Thank you very much.

Ms. Caudill: Thank you.

6. Tobacco and Vape Shops Ordinance Subcommittee
Meeting: TBD

Mr. Apicella: Tobacco and Vape Shop Ordinance. Ms. Sellers.

Ms. Sellers: We're gonna schedule that before we leave, Carlos, Kecia.

CHAIRMAN'S REPORT

Mr. Apicella: Okay, thank you. Chairman's Report; I have nothing to pass on. There's no Other Business. So the final item is approval of minutes. Is there a motion to approve the February 26...

OTHER BUSINESS

5. New TRC Submissions

APPROVAL OF MINUTES

6. February 26, 2025 Planning Commission Meeting Minutes_DRAFT

Mr. Shelton: Motion to approve.

Ms. Evans: Second.

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Mr. Apicella: Okay, we'll just do a quick voice vote on that.

All members: Aye.

Mr. Apicella: Opposed? Okay, that motion carries. With no further business before the Commission, we are hereby adjourned.

ADJOURNMENT

At 7:15 PM, Chairman Apicella adjourned the March 26, 2025, Stafford County Planning Commission meeting.