

STAFFORD COUNTY PLANNING COMMISSION

May 14, 2025

The meeting of the Stafford County Planning Commission of Wednesday, May 14, 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, Kelsey Caudill, Kecia Evans, Laura Sellers

MEMBERS ABSENT: Carlos Bratton

STAFF PRESENT: Mike Zuraf, Lauren Lucian, Stacie Stinnette, Brian Geouge

DECLARATIONS OF DISQUALIFICATION

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

Ms. Caudill: Chairman Apicella.

Mr. Apicella: Here.

Ms. Caudill: Commissioner Shelton.

Mr. Shelton: Present.

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

Ms. Barnes: Here.

Ms. Caudill: Commissioner Sellers.

Ms. Sellers: Here.

Ms. Caudill: Commissioner Evans.

Ms. Evans: Here.

Ms. Caudill: Commissioner Bratton.

Ms. Caudill: Commissioner we have a quorum. Mr. Bratton is absent.

Mr. Apicella: Thank you, Ms. Caudill. Do we have any declarations of disqualification? All right, seeing none. Are there any changes to the agenda?

Mr. Zuraf: Mr. Chairman, we just want to make you aware that you did receive tonight revised proffers for item number 1, and I'll briefly go over those during the staff presentation. And then also note that we added in a new item under New Business, item number 4, which deals with granting a time limit extension.

PUBLIC PRESENTATIONS

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Mr. Apicella: Thank you, Mr. Zuraf. Okay, I'm now going to open the public presentations portion of today's meeting. The public may have up to 3 minutes to comment on any matter, except for 3 public hearing items on today's agenda; there'll be a separate comment period when those items come up. So again, if you're here for Embrey Mill or the Campground Ordinance, you'll have an opportunity when those items are before us. This is not an interactive conversation. Please, before starting your comments, state your name and address. The clock starts when the green light appears. Yellow means there's 1 minute left. Red means your time is up. So if anyone would like to speak during the public comment period, now is your time to do so. All right, seeing no one, I'm going to close the public comment period and move on to the first agenda item. Oh, I'm sorry. Ms. Maxson.

Ms. Maxson: That was quick. Let's see, see if I can get to... I'm used to people coming forth. Thank you. Everybody's so nice and allowing me to be the only one. Kristen Maxson. May 14, 2025. Information for Cranes Corner Tech Center, RC and COM, cannot be found by searching. Page 32 of 325... of 32... 300... excuse me, page 322 of 325 of our packet today. It is rather Cranes Data Center site with three buildings of nature. There are apparently going to be three buildings there. May 5, 2025. Tried to see the status of our Deputy Planning and Zoning, who is ready to retire. Staff directory listing has been taken offline for Planning and Zoning for specifics and staff. Again, a monopoly of commercial design on Stafford has unknown impact effects on the people. Zoning department, oversight of Planning Commission, Architectural Review Board, Architectural and Land Conservation Committee, Historical Commission, and works with County administration with regards to Planning and Zoning items of the Board of Supervisors. So this says oversight of the Planning Commission. That's what it says. The noun, oversight – an unintentional admission or mistake. Keep that in mind. Can anybody explain the third prong impact? Can anybody? You know, three prongs? I did a search on three prong, and I came up with specific information which was quite useful. Integrated Corporate and Technology Park, ICTP and data centers have not applied to parcels before. Integrated Corporate and Technical Park, ICTP and data centers have not applied to parcels before. That's what's stated. Page 107 of 508. May of 2025. So apparently that's a place where we've never gone before. This park concept seems to have an effect on 2019 concerns with Stafford growing pains, written April 2020, 22... April 20, 2020. Concerning the acquisition of County Register, the space was unconventional and questionable, only to find out in 2024 bathroom services requirements were not accessible in the building owned by the former. Is this democracy threatened? I left a lot of information out because it's relatively sensitive, but I want to be true and, uh...

Mr. Apicella: I'm sorry, times up. I appreciate the comments.

Ms. Maxson: ... true and legal. Thank you so much.

Mr. Apicella: Thank you. All right, last chance for anyone who wants to speak during the public comment period and not on the public hearing items. All right, again, I'm going to close the public comment period and move on to the first item, which is Embrey Mill Proffer Amendments. I think we're going to combine that one – there he is – with the CUP.

PUBLIC HEARINGS

1. RC24155562; Zoning Reclassification – Embrey Mill Phase 3A Proffer Amendment – A proposal to amend proffered conditions on Tax Map Parcel No. 29-53B, consisting of 65.5 acres zoned PD-2, Planned Development 2 to allow for the development of up to 252 retirement townhome units and up to 500,000 square feet of commercial uses. The existing proffers applicable to the Property, pursuant to Ordinance O01-08, dated March 6, 2001, would be

completely replaced by new proffers. Such new proffers include, but are not limited to those that: permit age-restricted retirement townhouse units; limit the amount of commercial floor area; establish a new generalized development plan that identifies the location of the residential and commercial uses and access points; require age-restricted covenants and community amenities for the townhome development; establish screening standards between the commercial and residential uses; establish architecture and design standards for the townhouse units; and require specified monetary contributions to fire and rescue. The Property is bounded by Mine Road to the west, Shields Road to the north, Austin Ridge Drive to the east, and Sunflower Drive to the south, and is located within the Garrisonville Election District. The Property is subject to a concurrent request for a conditional use permit. **(Time Limit: August 22, 2025)**

2. CUP24155563; Conditional Use Permit – Embrey Mill Phase 3A Retirement Housing – A request for a conditional use permit (CUP) to allow retirement housing in the PD-2, Planned Development 2 Zoning District on Tax Map Parcel No. 29-53B (Property). The Property consists of 65.5 acres, and is bounded by Mine Road to the west, Shields Lane to the north, Austin Ridge Drive to the east, and Sunflower Drive to the south, and is located within the Garrisonville Election District. The Property is subject to a concurrent request for a zoning reclassification to amend proffered conditions. **(Time Limit: August 22, 2025)**

Mr. Zuraf: Yes, Mr. Chairman, Mike Zuraf with the Planning Department. I'm going to go ahead and go through the presentation for items 1 and 2 together. And so this is for a project called Embrey Mill Phase 3A Retirement Housing, and I'll go over the two applications. So the first is a request to amend proffered conditions on a property that's zoned PD-2, Planned Development 2. The site covers 65 and a half acres. The second application is a conditional use permit to allow retirement housing in the PD-2 zoning district on a single, it's all on a single parcel. It's in the Garrisonville Election District. The applicant is NSA North LLC, and Clark Leming is the agent for this application... or these applications. So here's the location map. The site is, is just to the north of the Embrey Mill Town Center, right between Austin Ridge Drive and Mine Road. This is the general development plan. It shows the site layout for the development of Section 3A of Embrey Mill. The proposed layout will consist of up to 252 age-restricted townhouse units on the northern end of the site. There are multiple access points from... points into the neighborhood from surrounding streets, and internally will include a grid pattern of public and private streets. There will be a clubhouse with pool and pickleball courts on the western side of the site, adjacent to a conservation area, and a dog park shown adjacent to, this is adjacent to the existing water tower that is within this site. The internal street network connects to proposed commercial development on the southern end of the site along Sunflower Drive. This area includes roughly what, as shown on this plan, 103,000 square feet of floor area. This includes a 31,000 square-foot grocery store on the corner. The red circle here identifies one of the entrances into the residential area along, that's located along Austin Ridge Drive. That would align with the proposed access point to the approved Westgate commercial and Embrey Mill, or Austin Ridge commercial development area located to the east. The Westgate project has proffers that do, that require intersection improvements at the time when that site develops. But that site has, has been undeveloped and there are no current development plans on that Westgate parcel that's further to the east. And then the conservation, there's a conservation easement and storm drainage easements in this area shaded green, and that would be preserved as open space as part of this, this phase. So just going through the proposed proffer amendments, this would modify the already approved 252 residential units to allow all retirement townhouse units. Current proffers permit 252 multi-family units in this phase of Embrey Mill, but they are required to consist of 100 senior units and 152 commercial apartments. So it basically changes it all to one type of residential unit. And it would reduce the maximum amount of floor, commercial floor area permitted from 650,000 to 500,000 as I identified on the GDP. That is likely to be a lot less, as 103,000 square feet is shown on the GDP.

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But there will be some flexibility if more commercial is possible on that site. Also, it establishes the new general development plan, identifies the location of uses and access points, requires age-restricted covenants and community amenities for the age-restricted townhouse development, establishes screening standards between the commercial and residential uses. That screening would consist of a row of taller evergreen trees between those two uses. Also, it would establish architectural and design standards for the townhouse units. I mentioned the, the new proffers, or modified proffers, that you received. There is one proffer that was modified, and that is proffer 5(d), and that's amended to require an additional feature in each of the retirement units that would be specifically requiring master bathroom walls to be re-... to include reinforcement, to allow grab bars to be affixed in the vicinity of any showers, bathtubs, and toilets, if that's requested by the purchaser or a future homeowner, if they choose to make that modification. Also, increases monetary contributions for Fire and Rescue from the current \$100 per unit to \$1,000 per unit. And then proffers, there are several proffers being deleted that include previously satisfied improvements and standards that do not apply to this section of Embrey Mill. Here's the aerial view showing the existing conditions. The eastern half of the site was previously cleared and graded. The western half of the site still has forested land cover. And the southwest corner includes the wetland area and conservation easement in that corner. The site surrounds...

Mr. Apicella: Mr. Zuraf?

Mr. Zuraf: Yes.

Mr. Apicella: You've got a question?

Ms. Barnes: Just, before you move on from this slide, can you circle for me where on this map the or what parcel the Buc-ee's application is?

Mr. Zuraf: Yes.

Ms. Barnes: Just for the application, just so that we can kind of get a frame of reference.

Mr. Zuraf: Basically this area.

Ms. Barnes: Thank you.

Mr. Zuraf: Yep. So there is a county-owned parcel within this, this property in this phase that has the water tank and, and also includes two wireless antennas arrays, colocated on top of the tank. Surrounding uses include single-family residential dwellings to the north and northeast. The, there's vacant undeveloped property to the east. The commercial, retail, restaurants, and medical office to the south. And Embrey Mill Park to the west. Here's just a Google Street View at the intersection of Austin Ridge Drive and Sunflower. This map shows the zoning of the site. Surrounding properties surrounding the PD-2 zoned site includes other PD-2 zoned property to the north and west, and also then PD-1 zoned property and B-2 property is to the east, and then more PD-2 and B-2 property to the south. So the staff report evaluates public facility impacts and other factors associated with the project. Going through those, with transportation, there's road infrastructure that has already been completed with much of the development of Embrey Mill. That included the construction of Mine Road, Sunflower Drive, and then with the Austin Ridge development, Austin Ridge Drive was constructed. So transportation infrastructure is there and in place. This project would reduce potential impacts of over what is already permitted to occur. It's estimated to generate 3,000, approximately 3,000 fewer vehicle trips from the current zoning entitlements. Looking at utilities, there are no impacts identified. Utilities water and

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sewer utilities exist within and around the site. There are several water and sewer lines that are along the surrounding roads. And then the applicant would be responsible for any necessary, necessary utility connections and lines that are within the site and upgrades that might be necessary through the, the development review process. With schools, there's a, it reduces the potential impacts. The the proposal would replace 152 commercial apartments with age-restricted units, so because of that, that would potentially reduce the number of school children that are on this, in this phase of Embrey Mill. With Parks and Recreation, there are no change to impacts as the maximum number of residential units is not changing. There's adequate park capacity in the area, and amenities will be offered to the residents onsite. With Public Safety, any existing service level deficits would be mitigated with increased monetary contributions, as mentioned. It would increase from \$100 to \$1,000 per unit under this proposal.

Ms. Sellers: Mr. Zuraf?

Mr. Apicella: Please go ahead.

Ms. Sellers: This was part of a larger reclassification. You may not have this on hand, but for each of these, Embrey Mill has already paid certain amounts of proffers. So it shouldn't look as if the neighborhood hasn't already paid their fair share of proffers, so. And just to kind of point that out, so. It's it's not showing that, but like Fire and Rescue, there were significant proffers paid that helped pay for the fire station, the Garrisonville fire station over by North Stafford High School. Parks and Recreations proffers helped pay for Embrey Mill fields. The school proffer helped pay for Moncure Elementary. Utilities, we have a water tower. And Transportation helped pay for the Mine Road extension. So I just want to point that out, that you have to look at it in totality here, that this is part of a much larger package, and that it shouldn't just be that they're not paying this. Embrey Mill as a neighborhood has paid. So I just want to throw that in there.

Mr. Zuraf: Yes, thank you. So the comprehensive... looking at the Comprehensive Plan, the Comprehensive Plan Future Land Use map identifies the site as being within the Courthouse Targeted Development Area. This is the, and this map is the land use concept for the Courthouse Targeted Development Area. It designates the property for mixed use, commercial, and residential. That's shown in purple. The Comp Plan states that Targeted Development Areas are areas of the county where significant amounts of development or redevelopment is expected to occur, and 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 to accommodate 50% projected population growth within these Targeted Development Areas. The plan specifically recommends a total of 750 additional townhouse units and 5.5 million square feet of commercial development within this larger Targeted Development Area, not within this site, but the larger Targeted Development Area. The townhouse residential dwelling units are recommended at a density of 5 to 8 units per acre in the Comp Plan. The project is proposing a density of 6.7 units per acre, which is basically right at midpoint almost of the density recommendation. Looking at some of the other Comp Plan policies that relate, with Bicycle and Pedestrian Facilities, the sidewalks and trails are present around most of the site including regular sidewalks and shared use paths along Mine Road. The applicant is proposing to add a sidewalk along Austin Ridge Drive that would complete the kind of pedestrian network around the entire site. And then there's a whole network of sidewalks within the project internally. With senior housing design standards, the site location, site design, and building details are consistent with the Neighborhood Development Standards Plan for Senior Housing. The applicant provided a series of senior housing design standards specific for the project, which identifies specific site, building, and unit features proposed for the project. There was also a senior housing standards audit provided which further

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identified how the proposed project in, would conform to the criteria in the, in the plan. With architectural design, proffers include some limited architectural design criteria. There were no illustrations included. Some of those design criteria that were proffered include the use of brick or stone masonry at the base of the units. No units would exceed three stories. Debris covers or ring gutters would be required, and motion detected lighting at the front entrance of every unit is required. Staff would note, without more specific details, it's uncertain how the unit designs may conform to the guidelines, the architectural guidelines that are within the Neighborhood Design Standards Plan. Moving over to the conditional use permit application. This again is a conditional use permit to allow retirement housing in the PD-2 zoning district. So just going over kind of the intent of why a conditional use permit would be required, the main intent of requiring a use permit for age-restricted retirement housing is to ensure the development occurs in a manner that minimizes any negative impacts on residents in or adjacent to the site. It would convert 152 commercial apartments to retirement dwelling units, that results in a total of 252 retirement townhouse units. The site meets many of the location standards in the Neighborhood Design Standards Senior Housing Guidelines in the Comp Plan. It is in the targeted development... some of those standards include that it's in the Targeted Development Area; it's within recommended distances to shopping, hospital, and county parks; also, it's within a planned residential development that has adequate pedestrian accommodations for this type of use. Conditions require development in accordance with the Senior Housing Guidelines for the community. Individual units will include safe convenient entryway access, internal access doors and halls would meet the dimension requirements in the, in the guidelines. And various universal design features are included that promote aging in place. The design guidelines provide for site and building design features that will improve the overall safety of residents. The proposed conditions are limited. It limits development to no more than 252 townhouse retirement units as shown on the GDP, and also requires the site development and building unit construction be in accordance with the Embrey Mill Senior Housing Guidelines document that the applicant submitted. Going over the overall evaluation of the proposal, looking at the positives, the proposed residential and commercial uses are consistent with the land use recommendations in the Comp Plan; consistent with the residential and commercial patterns of development in the surrounding area; the development reduces projected transportation and school impacts; monetary contributions would mitigate public safety impacts; the project meets many of the senior housing guidelines in the NDS Plan, including siting, community features, building elements, and interior features. A few more positives – there's an adequate pedestrian network existing or plan to accommodate the Retirement Community; proffers ensure the development will be consistent with what's envisioned in the application; and the senior housing guidelines will help mitigate potential negative impacts. One negative to point out is consistency with the architectural design guidelines recommendations are unknown without more detailed building illustrations. The overall recommendations on each application, for the Zoning Reclassification, staff recommends approval of the application with the conditions proffered pursuant to Ordinance O25-15 and subject to approval of the associated use permit application. And for the conditional use permit, staff recommends approval with conditions pursuant to Resolution R25-75, and then subject to approval of the zoning reclassification application. And that ends my presentation.

Mr. Apicella: Thank you, Mr. Zuraf. Questions for the applicant?... I mean, sorry, for the staff? Yeah, please go ahead, Ms. Barnes.

Ms. Barnes: Thank you, Mike. Just as a clarification, overall, this application is adding no new residential to the area. So it's a swap out. We're going from 252 of one kind to 252 of another kind.

Mr. Zuraf: Correct.

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Ms. Barnes: I don't want to wake up tomorrow morning and see it all over social media that we added 252; we did not.

Mr. Zuraf: Right.

Ms. Barnes: This is swapsies, as you can... that's a professional planning term, by the way. So to follow up on Commissioner Sellers with as far as the proffers go, are these units going to be subject to the CDA that the rest of Embrey Mill has been subject to?

Mr. Zuraf: They actually are not.

Ms. Barnes: Okay.

Mr. Zuraf: Yeah, it was not within the...

Ms. Barnes: Well, lucky them.

Mr. Zuraf: Yeah.

Ms. Barnes: Okay. I already mentioned that directly, you mentioned the Westgate property that's to the east. That's actually a couple of parcels to the east. The Buc-ee's application runs in between that. So would this be sharing, you know, an entrance point directly across the way with that application or with Westgate?

Mr. Zuraf: Yeah, that... as proposed in the Buc-ee's application, their access basically matches and is in the same location as the Westgate access. So, yes.

Ms. Barnes: I did notice that overall, the Embrey Mill plan which, you know, was was approved a long time ago, way before any of us had anything to do with this – just making that clear – the max, the max number of dwelling units for all of Embrey Mill is 2,246. When they finish with this last little portion of Embrey Mill, they're going to have 2,079, leaving 167 units under. In the same vein as they can have up to 500,000 square feet of commercial, up to means they could have zero. Correct?

Mr. Zuraf: Correct.

Ms. Barnes: Is it possible to have a proffer amendment come back and add those 167 units if they say, you know, the brick and mortar just doesn't work out?

Mr. Zuraf: The...

Ms. Barnes: Because that up to is... up to 500, there's a lot of fudge room there on that one. Now, I know that there's a GDP, and they have to, they have to, obviously, the GDP is proffered, but there is a possible, I just am asking if, is there a way that somehow those 167 can, you know, 10, 15, years down the line, and we've seen that...

Mr. Zuraf: The proffers are specific to this parcel, that there cannot be no more than, there can be no more than 252 units. So they can't add in those extra units here.

Ms. Barnes: Unless they come back for a proffer amendment...

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Mr. Zuraf: Right.

Ms. Barnes: ... again.

Mr. Zuraf: Right.

Ms. Barnes: Okay.

Mr. Apicella: Can I just piggyback? There's not a lot of space for an additional 150, 167 units in the Embrey Mill area, right? They've pretty much eaten up all the parcels.

Mr. Zuraf: Correct.

Mr. Apicella: Okay,

Mr. Zuraf: I can't say for certain that they would...

Mr. Apicella: Even if they decided not to do the commercial, there's not a lot of homes they could put on that, those commercial pads.

Mr. Zuraf: Right. Unless it... right, it would have to be maybe multi-family or something like that. Again, subject to future proffer amendment.

Ms. Barnes: My biggest confusion, and I don't understand why this is, and maybe this is just something you can explain to me, is that we, when I look at the red lined version, or when I look at the, the, I think the original version of the red lined version, we've got 44 pages of proffers. The clean version is four pages. Are we erasing every proffer that was in Embrey Mill and replacing it with this simple four page?

Mr. Zuraf: There are a few of the original proffers still, still a part of this. But really it's in, of those 44 pages, about more than half of them were these original kind of illustrations and street section kind of exhibits that wouldn't necessarily apply here. All the, all the improvements that already had happened since this is really the last phase of Embrey Mill to be developed, a lot of the things that already were required have been completed. So the applicant's choosing basically to remove those from, from... because it's already been done.

Ms. Barnes: So, so that, that's what confuses me. Just because it's already been done, I mean, why would we pull it out of the... why wouldn't we let it stay in that proffer, you know, in perpetuity? Because, you know, down the line, and I'm just thinking, I did see a situation in my district where four tot lots were proffered. They're in the proffers. The tot lots now are 20 years old. The community wants to take them out because it's too expensive to replace them, but because that proffer is still in place, they can't do that. So if you remove a proffer, even if it's already completed, I don't understand why we would do that. It seems it would be better to leave it in place, even if it's already done, then they're finished with it.

Mr. Zuraf: Well, the proffer amendment only if applies to this single parcel...

Ms. Barnes: Okay.

Mr. Zuraf: ... phase. So...

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Ms. Barnes: So all the rest of that red line in there is not...

Mr. Zuraf: ... all the rest of Embrey Mill, all those proffers still are in place.

Ms. Barnes: Okay. So, it's kind of compartmentalized then.

Mr. Zuraf: Yes.

Ms. Barnes: Okay, okay.

Ms. Sellers: If I may, and maybe Mr. Leming will address this, this sec... this parcel has been kept by NSA, or NSA, right?

Mr. Zuraf: Yes.

Ms. Barnes: You got something to tell us? NSA, really?

Ms. Sellers: Yeah, from, from the beginning, they're the original people, if I remember correctly. If I remember the story correctly, they've held this for this whole time with the intention of coming in at the end and kind of making it their own. And, you know, putting the, you know, the cherry on top is the best way, maybe, to describe it. So this is the completion of Embrey Mill. And the 2,000 homes, 2,200 homes, or whatever. So it's coming to, it's coming to a close here, and they're bringing in the close of the application is probably the best way that I, I've been, it's been described to me when I was a Supervisor, and that, you know, I can remember it, and maybe again, Mr. Leming will come up and describe it. But so the bigger part of Embrey Mill is one separate group. This is a separate group. Newlan had the other part, that's why you have all these different builders that came in and they parceled it off and it looks different. And then there's this that NSA has kept and again, but that's kind of my understanding and has been my understanding, but maybe you guys understand it differently.

Ms. Barnes: And those, and these original proffers, if I remember correctly, are from 2001. Okay.

Mr. Zuraf: Yes.

Ms. Barnes: A long time ago.

Mr. Zuraf: And there were proffers even before that. 2001 are the effective property parcels.

Ms. Barnes: Okay.

Mr. Apicella: *Inaudible*... younger.

Ms. Barnes: Yes. A couple, last couple questions. Is this, this is a 52 and up, correct?

Mr. Zuraf: Fifty-five.

Ms. Barnes: Fifty-five and up. So is this subject to they are required to allow up to 20% non age-restricted? That's just such a confusing law, or confusing subject to me. If it's 55 and up, they're required to allow 20% non age related. If it's 62 and up, they're not or something like that.

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Mr. Zuraf: Yeah, I'd have to look at the code; there are different provisions for the different classifications.

Ms. Barnes: Okay.

Mr. Zuraf: And, sorry, I'd have to look at that to...

Mr. Apicella: So, can I just jump in?

Ms. Barnes: Yeah, go ahead.

Mr. Apicella: So there are, there's a proffer, proffer 3, age-restricted covenants, which basically precludes, my reading, anyone under the age of 55, except persons 18 years or younger, can reside for a period of time for 30 days within a six month period. And then the only caveat is if there's somebody who is physically or mentally disabled, who's 18 or... who is 18 years or older, they can stay on the property. So I think it's pretty restrictive based on those comments.

Ms. Barnes: And that was my next question, is, regardless, even if there is that, whatever the percentage the state says we have to allow that's not age-restricted, they still can't necessarily have kids living there full time that are going to attend the schools.

Mr. Apicella: Right.

Ms. Barnes: Okay, that was, I was getting there. Okay, okay. Well, one last question, and this is, this is a big one for me. These are age-restricted housing, and this is probably for, Mr. Leming will probably have to answer this; these don't have master bedrooms on the main floor, do they?

Mr. Zuraf: I defer to the applicant on that one.

Ms. Barnes: Okay. I know. I'm kind of teeing you up for that Clark, so you can answer that when you get up here. But I think for me, that's it for now. Thank you.

Mr. Apicella: Can I just jump in kind of again, piggybacking? Do we know why they didn't provide illustrations even, or elevations even if not as illustrative?

Mr. Zuraf: They can expand, but my understanding was they didn't quite have a, an end user locked in, so they didn't want to, I guess, get, get kind of into, put into a corner with the design.

Mr. Apicella: Got it. Ms. Caudill?

Ms. Caudill: So I've got a few questions as well. One thing I just want to clarify, though, is it does say here shall restrict households to include at least one person that is 55 and older. So, you can have just... you only need one person to be 55 and older, and 18 and older.

Mr. Zuraf: Yeah, and I think that's tied in with, with federal law or state law that it basically it's, that's, that's the way kind of that structured.

Ms. Caudill: Okay, all right. And then my next question is, the traffic analysis, that was done in 1999 and there hasn't been one since. Is that correct?

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Mr. Zuraf: Well, yes, not for this, this portion.

Ms. Caudill: And why? Why is that?

Mr. Zuraf: Well, that was all ... because that basically led into the overall whole development of the project.

Ms. Caudill: Okay.

Mr. Zuraf: And there was no I guess request to I guess change the zoning since then. They just proceeded with all the, the effort of development of the 2,000 plus units. And there was no, without the the need to amend any proffers or seek any zoning change, there was no need for a new proffer amendment. And in this case, since the, since the proffers are reducing the maximum amount that could happen, they're actually reducing the number of, the number of vehicle trips that could, could potentially be developed below what was anticipated way back in 1999.

Ms. Caudill: So when you say reduce the number, that doesn't technically include all of the development that has happened since 1999?

Mr. Zuraf: No, it's all, I'm just referring to this specific property.

Ms. Caudill: Okay. Because I thought any conditional use permit that had over 150 trips per day had to have a traffic analysis done.

Mr. Zuraf: Well, this, in this case, since it's a proffer amendment and they're reducing, we will look at it as, you know, it's, it's, it already was, what their prior traffic studies led into all the improvements that were, that were already completed with, you know, Sunflower Drive and Embrey Mill, I mean, Mine Road and so all, all based in... all those improvements assumed more development on this property than now is being requested.

Ms. Caudill: Okay, all right. And then my other question that I have is under the proffered amendments, Fire and Rescue under 7, it says the applicant should offer a sprinkler system for each senior townhome unit at the buyer's option. So is there not going to be any sprinkler units unless someone pays for them?

Mr. Zuraf: Yeah, it is an option.

Ms. Caudill: Sorry, Billy, if you were asking that.

Mr. Shelton: Mr. Chairman, I'd like to comment on that.

Mr. Apicella: Yes, please go ahead Mr. Shelton.

Mr. Shelton: The original proffer had 152 apartments and 100 multi-family. In the statewide building code, all apartments and multi-family are required to be sprinkled. Townhouses are not required to be sprinkled. So my concern as a fire protection specialist and a life safety person, is it, are these 3-story townhouses.

Mr. Zuraf: It's up to, it could be up to.

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Mr. Shelton: Okay, so if we have no living quarters on the first floor, but we have a kitchen, then we're looking at a potential for propagation of fire from the first floor to the second floor to the third floor, where we probably got sleeping. And without sprinklers, which are early detection devices, we affording no life safety amenities. So I'm concerned about that particular aspect, especially in a retirement community. You know, if it's a regular townhouse and everybody's 14 or 15, I think they can haul freight right down the steps. But not someone 55 or older. And I can speak from that standpoint. So I would like that part be addressed by the applicant.

Mr. Apicella: Thank you, Mr. Shelton.

Mr. Shelton: Thank you.

Mr. Apicella: Yes, please go ahead Ms. Caudill.

Ms. Caudill: At our last meeting, one of the Commissioners asked about the average of multi-family developments in the county. Do we, did we ever get that number?

Mr. Zuraf: Yeah, average population within the units per unit?

Ms. Caudill: Yes.

Mr. Zuraf: I don't believe we got that.

Ms. Caudill: Okay, all right, just because I feel like we've went over a whole bunch of different townhomes, so I feel like that's, that's been a lot here lately. So I'd just like to know that number at some point, if you don't mind. Thank you.

Mr. Apicella: Other questions for staff? All right, thank you, Mr. Zuraf. Would the applicant like to come forward?

Mr. Leming: Good evening, Mr. Chairman, members of the Planning Commission, Madam County Attorney. Nice to see you this evening. With all of that lead up and the expectations, I'm not sure I'll be able to live up to all of the anticipation of clarification you think I'm going to provide. But let me start with a little more background, and I anticipated every one of your questions, Ms. Barnes, because it is, it is a bit confusing. And Embrey Mill has been going on a long time. We just barely touched on this. We've been working on Embrey Mill for 30 years. It was pretty unusual that period of time starting a project, and getting to the finally the end of the of the project. And just for your clarification, and maybe this will be helpful to some of your inquiries, this was originally zoned with Euclidean zoning districts back in 1992 and that they never got built, never got started. 2001 the Peete family came along and did a significant rezoning, which is what led to the proffer package that we've now been working on for 20 years. They rezoned it to PD-2 and, but things didn't start on the ground for quite a while. It was not for another decade that there was a preliminary subdivision plan approved. And on the issues of density, you correctly noted that there was a cap on all residential density under the proffers of 2,246. But when it came time for the preliminary plan, they could only engineer a thousand seven... 2,079 units. So, units were left on the table at that point. And that partially goes to your question, because the approved preliminary plan does not anticipate any more zoning, notwithstanding what Mr. Apicella said about there being no more land bays. Now in 2012 there was the the great divide. Newland came in as the residential developer, and the the Embrey Mill development was basically split, probably like 2/3 to the north, 1/3 to the south. The northern sections were developed by Newland, that was the residential

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section. The southern portion, which was mainly commercial, was retained by North Stafford Associates, which is the applicant here tonight. And they retained 252 residential units; 827 went to Newland, and that adds up to the preliminary plan number. So that's where the numbers come from. So under the proffers, we are leaving 100, and somebody already said, 167 units more or less on the table. The likelihood, because of what Mr. Apicella said, of anything ever happening with those units, is slim to none, because there are no land bays left. This is the remaining land bay, the last undeveloped land bay of Embrey Mill. And I think everybody got the location of it, but it is that one piece of property that is bordered on the north by Shields, on the south by Sunflower, on the west by Mine Road, and on the east by Austin Ridge. It's that entire land bay there, a significant portion of which is encumbered with a conservation easement. So this is the developable portion of it. Now that was, that was how the development progressed. Now, when... to the proffers. When we, when Embrey Mill started, there was a massive set of proffers. One of the good things that North Stafford Associates did when they negotiated their agreement with Newland was to assign most of the responsibility for proffer performance to Newland. Now you raised the question that now, let's not say they didn't do any of it, but the original proffer statement went on for pages and pages. Mr. Zuraf asked us to prepare a proffer statement to illustrate, if any of you really want to see this, it's mainly red lines, what's left of it. We carried over those things that had not been performed or that were still applicable and could still be applied. Most of these proffers were performance proffers. So when they were done, the proffer goes away. It's done. It's completed. If you're interested, and I didn't introduce her, Megan Winston is the development manager for North Stafford Associates, and she's here, and she spent a good bit of time reviewing the proffers, and actually has a one page summary of all, if you're, if any of you are interested in seeing it, of all the proffers that have been performed. She ties them to the proffer and tells you when they were done. So that's why it looks as it does now. There's, there's simply nothing left to do. These school sites... again, this was not NSA's part of it... two school sites, the most recent one was just conveyed, Ms. Lucian probably knows about that, the first part of this year, to the to the county. The second one was conveyed some time ago. So that's how we got where we got. The, um, so and there is a cap of 252 units, and we picked that number, they, I guess they could have tried to squeeze a few more out of the proffered number, but frankly there's not room for it. Not even clear that you know this number will become reality. But that is the number that was assigned to NSA under their agreement with Newland, and that's the number that they're developing. They are optimistic about the commercial portion of this, and have talked with a number of entities about anchors there. As you can anticipate, they want to see the built-in constituency, the built-in customers, you know, before they sign on the dotted line, but we're hopeful that that will happen. NSA is also responsible for the commercial land bay that is along Courthouse Road. They sold a portion of it to Publix and those stores down there, but that is their development, and they've been infilling the rest of it all the way from Austin Ridge all the way over to, to Mine. So that is, that is the work of NSA, and not, and not Newland. Now, those are the... I want to address a few questions that you raised, and then you're, you're certainly welcome to ask other ones. But I, I hope that that gives sufficient background so you understand a little better how we got where we are, why the proffers look like they do today, and understand that this is the last piece of Embrey Mill to be entitled and developed. Now the CUP does incorporate the senior, the Stafford Senior Housing Guidelines and, and we've developed those. In those retirement guidelines, Mr. Shelton, it says that what retirement communities are encouraged to do, because their guidelines, is to offer the option of sprinkler systems. So that's what we proffered. Now, sprinkler systems. nobody is going to argue that they may not be a good idea, and I understand completely the safety. It does add some cost somewhere in the range between 5,000, maybe upward to 12 or 13,000 as I, information I received, maybe there's a way, maybe it enhances the value of the house at some level, it also adds some time. But the biggest, the biggest issue that we have is the level playing field. It's not a requirement under the ordinance. We have proffered what the guidelines, the current Stafford guidelines recommend. Other retirement townhouse communities have not done this. So there are price comparisons that become important at some point,

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and marketability. The only community in Stafford, retirement community that we found, and Mr. Zuraf found this just yesterday, that has sprinkler system, is Celebrate Virginia. And the reason that they do is because it's part of the RBC Ordinance, which is what they developed under. And guess who amended that ordinance about 25 years ago? That was me for the Silver Companies. I didn't remember anything about sprinkling systems there, but that's why it's there, because they, the county put it into that zoning ordinance. Now it's true that we could proffer it, but the owners are very reluctant to do so, because it does change the playing fields and makes these...

Mr. Shelton: Can I comment on that?

Mr. Apicella: Yes, please go ahead, Mr. Shelton.

Mr. Leming: Sure.

Mr. Shelton: My concern is that, you know, most people assume that a sprinkle system is going to have scheduled 40 steel pipe. The National Fire Protection Association modified the requirement for residential and dwelling some 20 years ago that allows it to be installed with plastic pipe, which the state of Maryland had mandated 15 years ago. And it's running \$1 to \$2 a square foot. It does not require an increased pressurization system, and it affords all three of those levels, iff it is a three level thing. A residential sprinkler, only one head goes off. You know, the misconception that a lot of people have is that all heads go off at the same time. That's not the concept. So my concern as a fire protection person is, if we have a kitchen on the first level, and we have a fire in that kitchen, it's going to propagate before we can get our engine company there to the second floor and potentially to the third floor, and we're going to have entrapment of senior citizens. That's my concern.

Mr. Leming: And I fully appreciate that concern, and you, you have a very good point. And if Stafford County believes that that's the way senior housing should be handled, then it ought to be across the board for everyone, not on a case by case basis, because then you, you become less competitive, at least financially, in the market. Now there may be other reasons where you'd be more competitive, but Stafford, in its wisdom, has decided that it ought to be the choice of the owner, that whoever is building the house out should choose whether they want a sprinkler system, and if they do, then they get a sprinkler system. So that, that's, that's, that's where the owners are on that issue.

Mr. Shelton: So, let me add one thing.

Mr. Leming: Yes sir.

Mr. Shelton: When I built my house in Hartwood in 1989, I installed residential sprinklers. It cost me \$1.75 a square foot. Within five years, I had paid for my sprinkler system with the reduction in fire insurance. After the fifth year, it made me money and afforded my family the life safety. And it still does, and that's been 30 some years.

Mr. Leming: I, you know, I appreciate very much what it is you're saying. And if Stafford County thinks that's the way this ought to go, then the builders will line up. But when we go to the builders now with this, oh, no, that's going to increase the cost. That's going to increase the time. You know, we're not going to give you, we're going to pay as much for these units because of that additional cost. So that's what we're up against, because it hasn't been done in the past for Stafford retirement units towns. But personally, start that. Make the motion tonight, change the guidelines, and expect the development manager would support you. But that's the position we're in now. Now a few other questions that, that

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came up. I knew that was an issue, and I appreciate the comments that came to me over the last couple days on that. We, I believe... let's see. There was another, there was another question that I wanted to cover, I believe that you asked, Ms Barnes. Is there something else that I didn't answer for you?

Ms. Barnes: It was the main level living, the master on the main.

Mr. Leming: Yes, exactly, yes. There is on master on the bottom floor, yes. And let's see...

Ms. Barnes: Is that in the proffers, or is that...?

Mr. Leming: No, it's not... Megan, come on up for just a minute.

Ms. Barnes: I thought I saw that they had to have like a, like a full bathroom on the main floor. But I didn't see, and I, maybe I just missed it, that there's going to be a full bedroom on the main floor.

Mr. Leming: Can you address a little more thoroughly, the master bedroom on the first floor issues.

Ms. Winston: Yes, of course. All of the builders that we...

Mr. Apicella: Can you just say your name and who you're with?

Ms. Winston: Sorry. Megan Winston, I'm the development manager for NSA North, North Stafford Associates.

Mr. Apicella: Thank you.

Ms. Winston: All of the builders that we've had discussions with, their 55 and older product all includes a primary bedroom on the main floor. If there's a second floor, then it's mostly for guests. But, but the master bedroom would be on the main floor.

Mr. Apicella: Is that something you would consider as a proffer?

Ms. Winston: Sure.

Mr. Apicella: Okay.

Ms. Winston: Yeah, thank you.

Mr. Leming: Okay. Okay, that one was simple. I'm sorry yours wasn't.

Ms. Barnes: I have one last one.

Mr. Apicella: Yes, please go ahead, Ms. Barnes.

Mr. Leming: I think there was another... You had a question that I'm not sure I covered.

Ms. Caudill: About the traffic.

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Mr. Leming: Oh, yes, the traffic is a good, a good thing to talk about. Back in 2001 remember, this was planned for a massive amount, over 2 million square feet of commercial and over 2,200 residential units. So there was a massive traffic study done that accounted for all of the traffic from this development and the improvements that would be required. The biggest improvement was Mine Road. So Embrey Mill is the reason you have Mine Road all the way through now is because of Embrey Mill. Intersection improvements, and, of course, all of the internal streets, connections to the west and other connections to the to the east. So all of those improvements have been made. Now the interesting thing about these units, you probably know that retirement units do produce less traffic. You know the traffic study assumed these wouldn't, only a small piece of these would be retirement units, so actually, there's less traffic produced than was anticipated under the traffic study. And they're nowhere close to their cap on the commercial. So under the proffers and the traffic study was done, they could build another million square feet of commercial, you know, based on the improvements that have already been made and came in at the beginning of the development and the zoning. So, so the that work again, and it's, all of it's in the proffers. You know, all that information in the proffers, it's done, and now it has red lines through it because it's completed. Okay, what...

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

Ms. Barnes: One last thing, I noticed that there's a grocery store penciled in for the commercial area. Do we have any idea? Can I put in a request for a Trader Joe's?

Mr. Leming: What... have we heard... have we heard anything about Trader Joe's before?

Ms. Barnes: Yeah, okay, just throwing it out here.

Mr. Leming: Okay...

Ms. Evans: Kristen, don't take my idea.

Mr. Leming: ... wait a minute. This is... okay. That's not an original request, right?

Ms. Barnes: Original request?

Mr. Leming: I mean, it came from you only.

Ms. Barnes: Apparently not. I noticed that there was one in there and I don't, I wasn't sure if that was something that was, you know, written in pen or is that just a concept in there because I know that a lot of the commercial is up to 500,000 square feet, so.

Mr. Leming: I think the strong preference – correct me if I say this wrong, Ms. Winston – of the owners is to have a grocery store there. And among the candidates, you know, for a grocery store would be something like the one you mentioned. But yeah, it's not a done deal yet.

Mr. Apicella: Ms. Evans?

Ms. Evans: Well, that goes to my question. So if that's the case, then can you explain how traffic is going to be reduced then? Because I'm gonna tell you, everybody's gonna be at some Trader Joe's.

Mr. Leming: Okay. Oh, well, that may be...

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Ms. Evans: Right.

Mr. Leming: ... that may be yes. And you make a point that the 2000, the 1999 traffic study did not pencil in a Trader Joe's, but it did pencil in a big box and major commercial, 2 million square feet of commercial, and everything that would be coming to that. So, you know, it's, it's more than accounted for, because they're nowhere near their commercial cap. And you know what else? They've run out of room. There's nowhere else left to build. So, you know, I, I think the improvements that they have made, number one, is a matter of law through the proffers, you know, they've complied and made the improvements that mitigate their impact on the traffic. Now, because of that project that somebody mentioned some time ago, who knows, you know, what this area is going to be, but that is within your all's control and the Board of Supervisors control as to what happens with that. But yeah, I mean, this is an area that could, traffic wise, explode. And I suspect the residents of Embrey Mill and the residents of Austin Ridge would prefer that didn't happen. But it's not their choice.

Ms. Evans: Thank you.

Mr. Apicella: Other questions for the applicant?

Ms. Sellers: I have one question.

Mr. Apicella: Yeah, please, Ms. Sellers.

Ms. Sellers: What's the price point looking like on these townhomes?

Mr. Leming: Okay, Ms. Winston, that's, that's your bailiwick.

Ms. Winston: It's going to depend on which builder comes in here, because they all have their different markets that they appeal to. But if we look at the Cascades at Embrey Mill as a guide, I think those prices were in the upper 400's to mid 500,000.

Ms. Sellers: Yeah, Embrey Mill... I live in Embrey Mill, lived in the townhomes there on Apricot Street in 2014, I paid in the 300's. Now they're selling for 600, 500/600. So townhomes in Embrey Mill are selling for quite a bit more than what... that's why I asked to kind of put perspective on this. These are not small investments. These are, in some parts of the county, these townhomes are worth more than a single-family home on a three acre lot. So just to put that in people's, you get the perspective.

Mr. Apicella: Ms. Evans?

Ms. Evans: Well, no, never mind. I was just thinking about, well, then these are not even attainable housings and like, this is, this may not be even affordable to people who are 55 and older, right? Like, especially if they're, I mean...

Mr. Leming: Some people that are 55 however saved their money.

Ms. Evans: But then again, right, I'm just thinking I'm almost...

Mr. Leming: Mr. Shelton I know is a rich guy, okay.

Mr. Apicella: Mr. Leming, I've got a comment and an ask.

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Mr. Leming: Yes, sir.

Mr. Apicella: So I raise this every time it comes up. Some people laugh, but, pickleball courts.

Mr. Leming: Yes.

Mr. Apicella: Great sport. Wish I knew how to play it. The courts are kind of close to some of the townhomes. I'm just asking that you consider some sound attenuation for the people who are going to be nearby those townhomes, because I think it could be problematic, potentially problematic for those folks.

Mr. Leming: Okay, that's, that is an interesting consideration. I mean, there is, you're talking about when the paddle hits the ball, the noise that that makes?

Mr. Apicella: Yes, sir.

Mr. Leming: Or the screams of the losing team?

Mr. Apicella: It could be both.

Mr. Leming: Okay, well, so...

Mr. Apicella: I'm not asking for a proffer. I'm just saying just consider it, you know, with whoever decides to build out the townhomes.

Mr. Leming: My experience, and I don't quite understand it either, is that pickleball fans and players are so enthusiastic that, you know, the noise doesn't bother them and there may be some non pickleballers there too, which is your point.

Mr. Apicella: So my second point, I appreciate the change that you all made about the blocking for the bathrooms. So the CDC has indicated that trips and falls are the major cause of accidents for senior citizens. And one of those areas where that typically happens is in the bathroom. You all have added some verbiage at the end of that additional proffer that I would ask you to consider taking out. I think all the units should have, as a standard, blocking in the bathroom to prevent falls for senior citizens.

Mr. Leming: Rather than upon request.

Mr. Apicella: Yes, sir.

Mr. Leming: Okay, all right. Ms Winston, how do you feel about them reinforcing the walls?

Ms. Winston: Oh, that's fine. Our intention was, sorry... Yes, that's fine. Blocking will be standard in all of the bathrooms. Our intention was just to say we wouldn't install the grab bars unless the owner...

Mr. Apicella: Yeah, I wasn't suggesting the grab bars; I was suggesting the blocking.

Mr. Leming: You know, the lawyer probably didn't write that as well as it could have been. It doesn't mean that the reinforcement is optional. It means that whether they actually want the bar installed is optional.

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Mr. Apicella: Right. I, again, I didn't read it the way that you're reading it. I read the blocking. Okay, so you're agreeing to take out if requested by the unit purchaser.

Mr. Leming: Well, that means, that means you want the bars there, not just the reinforcing.

Mr. Apicella: All right, you can... So you've agreed to...

Ms. Winston: Blocking will be standard.

Mr. Leming: Yes.

Mr. Apicella: Right. So however you want to put it or change it is fine with me. You've also said that you would put a master bedroom on the main floor as a proffer. So when folks come up, if they have any comments, if you will start tweaking the proffers to incorporate those two changes.

Mr. Leming: Okay. Yeah, we'll, we'll try to make that a bit clearer. I thought it was so...

Ms. Winston: We did.

Mr. Leming: Okay, but we'll fix it for you, and then we'll add the one about the master bedroom on the first floor.

Mr. Apicella: Yes, sir.

Mr. Leming: Okay, all right. And...

Mr. Apicella: Any other questions for the applicant?

Mr. Shelton: I have one question.

Mr. Apicella: Mr. Shelton?

Mr. Shelton: What's the proposed square-footage of your townhouses, and how many levels are you proposing?

Ms. Winston: I don't have that information at this time, but most of the ones that I have seen have been two stories, sometimes with a basement. So we would fit within that 3-story maximum in the proffers.

Mr. Shelton: So theoretically, most of the townhouses that I'm familiar with are roughly 600 square per level. So that's 1,800 square. Okay, ball parking on Ms. Seller's comment of \$400-500,000, if we can put sprinkler systems in at 1,800 square at \$2 a square, and that's \$3,600, you're going to put a \$10,000 countertop in it. Am I correct?

Ms. Winston: I'm not sure. I'm not the builder, so I can't speak to the... inaudible.

Mr. Shelton: Would you consider the sprinkler aspect?

Ms. Winston: I don't think that we can at this time. I mean, I, we can go back and discuss it, but the information that I've received...

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Mr. Leming: I mean, she would have to go to... at this point, remember, she's the development manager, and the owners have talked with the builders, and they've said, no, don't do that. So that's just where we are at this point, so. There's not a whole lot additional I think that they can do right now with that, what she can do with that direction.

Ms. Barnes: Can you do it before you get to the Board of Supervisors?

Mr. Leming: I'm sorry?

Ms. Barnes: Can you do it before you get to the Board of Supervisors?

Mr. Leming: Oh, yeah, certainly, certainly, yes. We're happy to do that, yes, uh-huh.

Ms. Barnes: We might, we might mention that to our Supervisors.

Mr. Leming: You could, you could certainly say as part of a recommendation that you want us to think about that some more. Okay? All right, then we'll make other changes. One last comment on the CDC. The CDC was just set up for the Newland portion of Embrey Mill because they were the ones that had to build Mine Road. So that's why it was set up, and that's why it's not applicable to these particular units. So, that that's why that happened that way. Okay. Well, thank you.

Mr. Apicella: All right, last call for questions. All right, thank you, sir.

Mr. Leming: All right, thank you all very much, and appreciate your patience.

Mr. Apicella: All right, I'll now open the public hearing on this item – these two items. This is an opportunity for the public to provide their comments. Before you speak, 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'd like to speak, please come forward now.

Mr. Bain: My name is Albert Bain, Fredericksburg post office, but definitely Stafford County. It's nice to see some of my old friends from my previous occupation. Just two comments. First, age-restricted housing with all the qualifications concerning people under 55 or 65 whatever, when I was on the Commission, we had an age-restricted development proposed, and at that time, I went and visited a couple of age-restricted developments in Stafford and in Spotsy. I was surprised to see school busses serving those developments. If I understand, if, if a child is there for 30 days and they are registered in that school district, they are required. But these did not look like just a 30-day type arrangement. Just to comment, I did not follow the school busses, because that would be weird, but I saw them, so something the County supposedly is the enforcement agency, but they have no time or money to do something like that. I presume it falls on the HOA but I'm not sure that it's a requirement in the HOA charter. Maybe that should be considered. But I know that there are children living in age-restricted developments. The second thing, keep in mind and this, there's nothing that can be done about it, but if a new river crossing is implemented, it's most likely going to tie in to Mine Road, and if you think the traffic gets congested sometimes now, you just wait and see when that crossing comes in. That's all I have. Thank you.

Mr. Apicella: Thank you, sir.

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Ms. Smith: Hello. Cherie Smith, Garrisonville District. I actually have some questions for the applicant. Is it okay if I address them?

Mr. Apicella: You can, you have to address your comments to us.

Ms. Smith: Sure, absolutely. And then they can respond. Can they respond while I'm standing here?

Mr. Apicella: If they... no. They can choose to respond, but you can certainly ask your questions.

Ms. Smith: Okay, very good. So question number one, I heard in there that some of the housing development is going to be moved from apartments to now these 55+ homes, if I was correct in hearing my, in hearing that. When, 2004 when I moved into the Garrisonville area, we knew about this, but we were told that some of those apartments were going to be mixed apartments. Maybe I'm getting it confused. That they were going to be some that offered lower income residents in that apartment area, just like the one that's over there by the skating rink does as well. So with that said and done, if they're removing those apartments to add additional \$500,000 townhouses, then they're limiting the residents who can afford to maybe live in a lower income apartment versus buying a \$500,000 home, which they can't, and we all know, times have changed, okay. So I have that question for them as to, you know, I understand from a business perspective, but from a resident perspective, who have younger children, who's trying to stay in the county, and, you know, be a resident here, it's unlikely that they're going to be able to afford \$500,000 but their income could afford income related apartment complex. Also, with that said, they keep talking about the school impact, and I do agree with the gentleman. First of all, I would like to thank the applicant. He was great. Both of them, wonderful. He talked about the school impact, and that this is going to lower the school impact. And I agree with the gentleman in front of me, it's not. Because we all know that life happens, circumstance happen, and then the older person has to take on their, their niece, their nephew, their grandchild, etc, etc. So that's out the window. In addition to that, as far as VDOT goes, in that general area you, you point out Buc-ee's, which, by the way, Buc-ee's is assuming that they're going to take 100... be behind my house 100 feet negative... but VDOT indicated that around this time that it's already detrimentally as far as the infrastructure is horrible and so bringing you know a Buc-ee's there, or whatever, it's going to also impact that area. So I would personally still with the shopping plaza, which thank you for that, appreciate that, still ask that the traffic impact be completed, because even though you got to 55 and plus whatever, they're going to stay home because they're retired, hopefully they are, but you still have people coming in and out to do business at the those commercial areas. Thank you very much.

Mr. Apicella: Thank you, ma'am.

Ms. Maxson: Kristen Maxson. Thank you for your consideration. It was nice to hear Bain and see his face again. May 14, 2025, concerning Phase 2A, Embrey Mill Proffer Amendment, Attachment 6, page 44 of 44 is empty. Attachment 920, 24 and all even pages to 60 is empty. So this, these pages should read, this page was intentionally left blank. The red line does not show these pages being taken out. Building design not consistent with NDS. They reviewed this. National Design Specification recommendations is unknown, page 18 of 325 of our packet today. Property is the only remaining undevelopment bay within Embrey Mill development. Elementary promised late in the 1900s, see page 40 and 98 of 325, may of this packet. Ordinance O10-83(a), school site dedicated 61 acres. Does section 3a have relation to 3A Phase? Probably. School site number one, elementary to 23 acres. School site number two, middle school, approximately 38 acres. And did this have an impact on the sales in the late 1900s and, and through the 2000s? Sure it does. People expected to have a school and they moved in. Part of 29-30, oh, excuse me, part of 53b I should say, and I'm only giving part of the number, 1.56 acres

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vacant commercial known as building number one, child care. It has no date, but engineer stamp states, 07/16/2021. Neighboring to the 53b lot, but really is on the 70k lot. Tax map is grossly incorrect. Perhaps has a, has a sliver of the, so there it's sort of confusing to the public. Maybe somebody has it correct in design, but it's not in the public reference. Camping, campus designation land used to mix commercial use and 152 commercial park apartments. Could this be public to private? There's a monopoly of the design and the contract, March 18, 2024 amended proffer statement can be seen also March 24, 2025.

Mr. Apicella: Thank you, ma'am.

Ms. Maxson: Thank you.

Mr. Apicella: Anyone else? All right, seeing no one else, I'm going to close the public comment period and ask the applicant if they would like to respond to the comments, and in particular, if you could address an issue that was raised by the Commission as well, about the concern about school students, and in particular, the age-restricted covenants that proffer this that you have in the package.

Mr. Leming: With regard to the school children, as Mr. Apicella pointed out a little while ago, this is a pretty strong proffer that probably goes somewhat further than maybe the case with some other developments. But the correct statement is that it becomes part of the covenants, and it's a proffer. The only thing the county monitors is to be sure that the covenants are developed and recorded, and then enforcement is up to the HOA. And that can be the officers, it can be any resident can enforce the covenants within the HOA. So that's the way it gets enforced. Somebody that had school children there on a permanent basis, certainly such that a school bus would have to come and pick them up, in this case would be violating the covenant that they're required to record. Now enforcing it, but that seems like, from my standpoint, I know a little bit about the School Board, but you know, from my standpoint, it seems that that would be fairly easy to take care of simply because somebody gave information to the School Board to tell them where to come pick up a child. And if it's in a retirement community, you know, I don't think it would take too much for school staff to put two and two together and figure out that was not somewhere where a child could be living. That's even if someone in the development, in the HOA, a member of the HOA, didn't try to stop it. So I don't see it as a particularly big problem, although I'm sure there are instances where children do try to live with older parents. But here 18 years old or younger, you know, they have a strict time limitation on how long they can be there. You look puzzled.

Ms. Sellers: Mr. Chairman, and I think it's a stretch to then say they live there. They could be going there after school to be with grandma and grandpa. My son goes to grandma's house. Now grandma lives next door, but...

Mr. Leming: That's a possibility.

Ms. Sellers: ... he goes to school, he goes to Grandma's house after school. There's lots of children who go to grandma and grandpa's house after school. That's one of the benefits of living close to grandparents. And why so many people want to live near their parents. And you're seeing generations, you know, my generation, younger generations do this again is because we send our kids to Grandma's house after school. And in Embrey Mill, particularly, we do have families similar to mine where parents are also have grandparents there in the neighborhood. We have one builder that builds a home with an apartment on it, where you have a single-family house and this apartment and, I mean, it's a great concept, and it really helps. So do we know that those children live in that house, or are they going to see grandma

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after school? And so I think it's a stretch for us to assume that child lives there just because the school bus is entering the site. And that's just my take on it, but.

Mr. Leming: I think that makes sense. So Mr. Bain, what you need to do is to follow the school bus, okay, and then wait a few more hours and see what happens when the parents get home, okay.

Mr. Apicella: And then when the Sheriff's Office arrives. *[Laughter]*

Mr. Leming: That's right. But the most important thing, I think, is that it's completely contrary to the covenant that must be developed and recorded. All right. Affordable housing. Absolutely. Stafford needs more affordable housing, no question about it. That was never planned for Embrey Mill and the apartments that were going to be there, a lot of them were also going to be retirement – some would be retirement, there'd be some commercial apartments, which there just doesn't seem to be a demand for, which is why the changeover occurred here. Now, right across the street, same land bay where big things may happen, there was an active proposal for affordable housing right across the street that the the owner of that property and the Supervisor had worked on. But then that's all changed. But I agree completely. It's just that this has never been a, it never had been something that was to be done in Embrey Mill, and we're not swapping out affordable housing for retirement units, because there was no affordable housing ever planned here. Okay, I think those were the main things that I thought it would be of school sites. I didn't catch, the last speaker, I didn't catch some of what you said, but, school sites. Both of the school sites were conveyed so they're there, but it's not Embrey Mill, it's not the developer, it's not the HOA that decides where the schools go. It's the School Board. And so the school sites are there and ready to be built on whenever the School Board decides that that's where the next school goes. There's a middle school site and a elementary school site. Okay? Okay.

Mr. Apicella: Thank you, Mr. Leming. Were you able to make the tweaks to the proffers?

Mr. Leming: I was busy listening to the speakers, but we will do that. Did you suggest that we do that while you have the next public hearing, is that okay?

Mr. Apicella: We could do that, yep.

Mr. Leming: Okay. Or I, I mean, we can do them pretty quickly, or I can just stand there and...

Mr. Apicella: Yeah, that's right. We do it based on the number of folks here, that could be a long public hearing. So why don't we take a five minute recess. You think that will suffice?

Mr. Leming: We'll take care for you then. Okay.

Mr. Apicella: Thanks. All right, five minute recess, everybody.

Meeting recessed at 7:18 PM.

Meeting reconvened at 7:30 PM.

Mr. Apicella: Do you have some changes to the proffers?

Mr. Leming: Yes, sir. What we did to, what we did was to change proffer 5d which is entitled interior features. The last sentence of the former proffer did state, in addition, master bedroom walls will be

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reinforced such that secure grab bars can be affixed in the vicinity of showers, bathtubs, and toilets. And we ended it there, period. So the clause at the end, if requested to do by the unit purchaser, is gone. We added one more sentence to that same proffer; each unit shall include a master bedroom on the main floor, period.

Mr. Apicella: Great.

Mr. Leming: Okay?

Mr. Apicella: Thank you, sir.

Mr. Leming: So, I think that's what was requested.

Mr. Apicella: Yes, sir.

Mr. Leming: Okay? Thank you.

Mr. Apicella: All right. Ms. Sellers, this project is in your district. The first item we would want to consider is the amended proffers, as read by Mr. Leming. Is that something you'd be willing to make a motion on?

Ms. Sellers: It is. I'm making a motion to approve RC2...

Mr. Apicella: Well, we first need to accept the amended proffers.

Ms. Sellers: Oh. A motion to accept it?

Mr. Apicella: Yes.

Ms. Sellers: Then I move, I move to accept it.

Ms. Barnes: Second.

Ms. Evans: Second.

Mr. Apicella: Okay, great. All right, there's a motion to accept the amended proffers. Any further comments, Ms. Sellers? I don't know who made the second, I'm sorry.

Ms. Barnes: I think it was me.

Ms. Evans: I think it's both of us. Okay, I'm gonna give it to Ms. Evans.

Ms. Barnes: Sounds good.

Mr. Apicella: Any further comments, Ms. Evans? No?

Ms. Evans: No comment.

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Mr. Apicella: Okay, please cast your vote. All right, that motion carries 6-0 with one absent (*Mr. Bratton absent*) to accept the amended proffers. On the rezoning, I'm sorry, on the proffer amendment, Ms. Sellers, would you like to make a motion on that?

Ms. Sellers: Yes, I move approval of RC24155562, with the amended proffers.

Mr. Apicella: Great, thank you. Is there a second?

Ms. Evans: I second.

Mr. Apicella: Thank you, Ms. Evans. Any further comments, Ms. Sellers?

Ms. Sellers: Yeah. As is stated, this does not add density or new units. It does, it does reduce some of the commercial which does reduce some of the traffic impacts. And I think Embrey Mill has shown that we are, I'm a resident of Embrey Mill, long time resident of Embrey Mill, that we are good neighbors. We have brought a lot to North Stafford, including the Mine Road extension. It was not Newland who built that. It was the neighbors of Embrey Mill who built that, and continue to pay for that, which is due on June 5 or whatever next month. We pay next month. You know, we helped pay for the Moncure rebuild. We've helped pay for the upgrades to North Stafford's library. We've helped pay for the fields at Embrey Mill. We've helped pay for all these things that you see. And we also have trails, we have sidewalks, we have lots of things that we've brought to North Stafford. And so I think this is a another great opportunity, and maybe we'll get another new grocery store here, in addition to the Publix, which has been a great addition, very well liked. You go there on a Sunday, you can't find anything on the shelf, so we might need another grocery store there. So I do move approval. I think it'll be a great addition. Thank you.

Mr. Apicella: Thank you, Ms. Sellers. Ms. Evans?

Ms. Evans: No comment.

Mr. Apicella: Anybody else? Mr. Shelton?

Mr. Shelton: I would like the applicant to consider the sprinkler aspect, and if you need any references or expertise, I'd be more than happy to share them with you.

Mr. Leming: Happy to do that, yes, sir.

Mr. Apicella: All right, thank you. On the motion approving the proffer amendments, please cast your vote. That motion carries 6-0 with one absent (*Mr. Bratton absent*). On the CUP, Ms. Sellers?

Ms. Sellers: Move approval for that CUP as well.

Mr. Apicella: Is there a second?

Ms. Evans: I second.

Mr. Apicella: Thank you, Ms. Evans. Any further comments, Ms. Sellers? Ms. Evans?

Ms. Evans: No comment.

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Mr. Apicella: Anybody else? Mr. Shelton?

Mr. Shelton: One comment. I would ask staff to look at the thing with retirement communities, if there's something we can add for future references. I'm not asking for the whole plethora, just our retirement communities on townhouses.

Mr. Apicella: Thank you, Mr. Shelton. Okay, with no further comments, please cast your vote on the recommendation to approve the CUP for Embrey Mill. All right, that motion carries 5-1 (*Ms. Caudill opposed*) with, with one absent (*Mr. Bratton absent*). All right, thank you very much. Congratulations. All right, moving on to the next item.

Mr. Leming: Thank you for hearing this.

Mr. Apicella: Yes, sir. Campground Uses Ordinance. Hi, Mr. Geouge, how are you?

3. Amendment to the Zoning Ordinance - Proposed Ordinance O25-07 would amend and reordain the Zoning Ordinance, Stafford County Code Sec. 28-25, "Definitions of specific terms" and Sec. 28-35, "Table of uses and standards" by amending certain definitions applicable to campgrounds and to modify how a campground is permitted in the A-1, Agricultural Zoning District. **(Time Limit: June 6, 2025)**

Mr. Geouge: Hello, doing well. Thank you, Mr. Chairman, members of the Commission. Brian Geouge with the Planning and Zoning Department, and I am presenting a proposed amendment to the Zoning Ordinance, two sections, Section 28-25, Definitions, and 28-35, Table of Uses and Standards, to amend certain definitions relating to campgrounds and to modify how campgrounds are permitted in the A-1 district. And just to provide a quick timeline on this, how we got here, back in November of last year the Board asked staff to look into this as a potential code amendment relating to campground uses and how we could regulate them. So staff conducted some research and drafted an ordinance amendment, and then came back to the Board on February 18 and presented that information, at which point the Board referred that to the Planning Commission. The Planning Commission then formed the subcommittee and recommended further edits, and then on April 9th, the Planning Commission authorized a public hearing. So the next few slides will kind of summarize the report that staff did; it's included as Attachment 6. And the first part here just summarizes the current code requirements. So Chapter 28, Section 25, establishes the definition for campgrounds, as well as related terms such as camping unit, campsite, travel trailer and recreational vehicle. Section 28-35 establishes campgrounds as a by-right use in the A-1 district on a minimum of 10 acres, and also lists Travel trailers/RV park as a use that requires a conditional use permit. There are currently no special regulations in the County Code for campground uses. There are, however, numerous sections in State Code related to campgrounds. Out of Chapter 450, those requirements are summarized in part here. There are quite a few of them. It's sort of unusual for a specific use to be regulated to this extent as far as land use in State Code, but those requirements include, you have to submit a plan and permits to the Health Department. These are all administered by the Health Department and enforced. State Code has general regulations for location of campgrounds. For example, you're not supposed to have campgrounds in swamps and marshes. So some kind of obvious things here. Regulations on density, although these are pretty high, State Code limits density of campsites to 20 per acre, and that would be evaluated on the whole site. Regulations for size of campsites, minimum width of 25 feet for the campsite, and a minimum size of 1,600 square feet. And there's numerous regulations about water supply and sewage disposal; the number of dump stations that a campground has to have; in addition to things like proximity and number of slop sinks; construction standards for finishings for service buildings, cabins and other rental units;

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regulations on garbage disposal, insect/rodent control, safety, control of animals and pets; special regulations for primitive or temporary campgrounds. So as part of staff's research, we looked at a few other localities; Fauquier, Spotsylvania, Prince William, and James City. We found that other localities study, studied require either special exceptions, so that would be something granted by the Board of Zoning Appeals, or a special use permit, aka conditional use permit, for campgrounds. In general, campground definitions, we found they're pretty broad, and some localities align their definition with that of state code. And we found that of those localities researched, only Fauquier had special regulations for campgrounds. And we also looked at a few other campgrounds in the region when we were doing this research, and those included, of course, the Aquia Pines. So that's that's pictured here on the right, an aerial photograph. And I'll run through some quick statistics on these as I go. So Aquia Pines has 125 total campsites. It's a mix of full hookup, water, electric only camps, and tent camps, and their density equates to about six sites per acre on 20 acres. So that's a relatively small site, and there, there's still only six per acre. So I'll kind of put that 20 units per acre into perspective for you. Recreational amenities include multi-purpose courts, pool and playground, and they have a paved entrance off Route 1, but otherwise, their internal travelways are gravel. DC South KOA Holiday, that's... the layout plan for that is pictured below. That's in Spotsylvania, off of Ginnea Station. That site has 76 sites for RV and camping trailers, 15 cabins, and 16 tent sites. Recreational amenities include a clubhouse, pool, playground, fishing pond, and they also have a paved main access road and gravel travelway serving the campsites. Also, we looked at Rappahannock River Campground, which is not pictured here. This is located in Culpeper County that focuses primarily on primitive or tent camping and water dependent activities. So as a conclusion to our report, again, Attachment 6, staff did not believe that establishing special regulations for campgrounds in the Zoning Ordinance is necessary. We believe that the CUP process would allow for appropriate evaluation and mitigation of impacts, and that updates to definitions and permitted uses in the Zoning Ordinance are recommended based on this. So again, this is what all fed into what we put together for the Board. We did draft a code amendment; that is provided as Attachment 2. So to run through those code amendments briefly, we are proposing to update the A-1, Agricultural zoning district to require a conditional use permit for campgrounds on a minimum of 10 acres. That was the, the current standard that we're we're keeping. Currently there is a minimum of 10 acres for campgrounds. We are proposing to remove Travel trailer/RV park as a use requiring a CUP; this type of use would be included under the campground definition. So that's all just getting rolled up into that campground definition. We would update the definition of campground, as well as certain related definitions in the Zoning Ordinance for clarity, and help ensure that certain campground related uses and facilities are captured within the definitions.

Ms. Sellers: Mr. Chairman, I have a... *inaudible*.

Mr. Apicella: Please go ahead, Ms. Sellers.

Ms. Sellers: This one that's on the 14 nights within the 30 day period, how do we enforce that?

Mr. Geouge: It would be most likely, like so many other things, it would be observation based or complaint based. If someone happened to observe someone staying for longer than that, then we would have to actively monitor the site. We'd have to have staff go out there and, and basically see what's going on, probably on a regular, ongoing basis.

Ms. Sellers: And so who would be held accountable if the person says, no, I'm not going to leave? And I bring this up because you have, I can't think of what they're called, but if somebody's there and they stay there, you have to evict them and go through that whole process. So are we going to hold the landowner accountable for somebody who refuses to leave? Is that a stupid question?

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Mr. Geouge: Yeah, ultimately it would be landowner's responsibility for ensuring compliance.

Ms. Sellers: So they can be held accountable for somebody... what are they called? What's the name of them? I'm gonna think of the word.

Unknown speaker: Squatters.

Ms. Sellers: Yes. For squatters. And you know, we have them in some VDOT right-of-ways where you have to actually try and evict them, and the state protects them as squatters. And so are we going to put the CUP in jeopardy and punish a landowner because of somebody who refuses to leave? Would that be...? See what I'm saying here?

Mr. Geouge: Well, I'm sure, yeah, I'm sure, at some point, you know, law enforcement could be involved in the enforcement of that, but I would think there would be avenues to remedy that situation. Let's see, which one did I leave off on here. We would update certain ordinance requirements for clarity, incorporate certain things in the campground definition such as mention of associated recreational uses in that definition. And this was an edit that the subcommittee made, but the proposed changes would clarify that campgrounds, as I mentioned, would, would be for transient, temporary occupancy for 14 nights, no more than 14 nights within a 30 day period. And this was kind of modeled after state code provisions for Virginia State Parks. So proposed Ordinance O25-07, again Attachment 2, reflects these recommendations. And so when this was authorized for public hearing by the Planning Commission, there was some conversation about how we had worded the campground definition. So initially we had specific types of campgrounds listed out in that definition, things like primitive camp, tent camp, recreational vehicle camp, travel trailer camp, etc. So there was a question of whether all of those types of campgrounds were defined. So we went back and took another look at that, and basically decided that all of those were, in our opinion, unnecessary to list out. So we have an alternate version of the Ordinance that's included as Attachment 3. It really takes the less is more approach and kind of takes out the list of specific campground types. And ultimately the regulation is still the same. So any site which contains two or more campsites for accommodation of camping units would still be considered a campground, regardless of what you call it. So the types of accommodations are clarified in the definition of camping unit, however. And we also proposed to remove motor home from the camping unit definition, since motor homes would fall under the definition of recreational vehicle, which is already captured in the camping unit definition. So in conclusion, staff recommends approval of proposed Ordinance O25-07, specifically the alternate version as included as Attachment 3. Staff believes that the amendments will allow for more appropriate regulation of campgrounds within the A-1 district, as well as allow for mitigation of impacts through conditions. And as a final note, it should be noted that if this gets adopted, then any existing permitted campgrounds will become a legal non-conforming use. Therefore, if they wanted to expand or add additional campsites, the CUP requirement would apply. And that concludes my presentation.

Mr. Apicella: Thank you. Mr. Gouge. Questions for staff? Ms. Sellers?

Ms. Sellers: A legal non-conforming use, that also means if they change things on their property, they'd have to come into conformance, or would they be grandfathered?

Mr. Geouge: I believe it would have to be evaluated case by case, like I know certain upgrades will say, may not be prohibited, but I would say it probably depends on the nature of the change.

Ms. Sellers: Okay.

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Mr. Apicella: Other questions for staff? Yes, please Ms. Caudill.

Ms. Caudill: So, just, just a quick question. You had said that you incorporated the motor home into the definition of an RV. You do know that there's a lot of different sizes of motor homes and features that may not actually go into the definition of an RV?

Mr. Geouge: So what I was saying is motor home isn't specifically listed in the RV definition, but it fits the definition because the RV is defined as a, well, I can tell you what it's defined as. A vehicle that is either self-propelled or towed, and is designed as a temporary dwelling for travel, recreation, and vacation, licensed by the Department of Motor Vehicles. So if there was a motor home that was being used for that recreational purpose, it would then fall under that recreational vehicle definition.

Mr. Apicella: So it doesn't matter what size. A camper van, for example, could be included.

Mr. Geouge: Correct.

Mr. Apicella: Other questions? So can I just kind of frame the... we're looking at an ordinance, we're not looking at any specific campground in existence or to be in existence per se, or any application that's currently under consideration. We're trying to create a new process for any campgrounds once this is, ordinance is approved, that this CUP requirement would be applicable to those new campgrounds or any that would significantly change, any existing campground that would significantly change. Is that correct?

Mr. Geouge: That is, that is what this will accomplish, yes.

Mr. Apicella: Okay. Any other questions? Comments? All right, thank you. So I'm going to open the public hearing on this matter. Again, as before, this is an opportunity for the public to provide their, their views on this item. Before starting your comments, please state your name and address. The clock starts when the green light appears. Yellow means there's one minute left. Red means your time is up. Again, I would just ask that you please state your name and address before you start your comments. Thank you.

Mr. Bain: Again? All right. Albert Bain, Fredericksburg, but I'm in Stafford. My comments only relate to the ordinance or ordinances that have been proposed. First, because I, I understand that the Commission could adopt or recommend either of these ordinances staff has presented, so I want to first address the subcommittee version and suggest that under the definition of campground, it says a plot of ground that includes, but is not limited to, ta-da-da-da-da-da. Please remove "but is not limited to." That is so open ended that you could end up getting anything in there. With regards to both the ordinances, I think they're good. I would support them, but I wish that they would include some of the specific items that were in the Fauquier County ordinances, such as density limitations, maximum or minimum size of a camp unit, and also maybe include and increase the setback buffer for the access or main road that the development is put upon. My third and last comment is that I wish you would consider taking out recreational vehicles from the by-right and even CUP approach, and making that a commercial activity that would require rezoning on A-1 land, and set that by specifying sizes; self-driving vehicles or towed vehicles that are greater in length than maybe 18 or 20 feet, which would allow pop-up campers and pick-up trucks with the camper put in the back would still be considered a campsite and not an RV. So consider making recreational vehicles a commercial activity that would require rezoning. Thank you.

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Mr. Silver: Good evening. Mike Silver, in the George Washington District. As I understand it, a CUP, conditional use permit, is a tool that the county uses to mitigate negative impacts on surrounding property owners in the community. It seems to me, this is a reasonable amendment. We already spoke about high densities of campgrounds, the potential of noise pollution, i.e., pickleball I think was mentioned tonight. Light pollution, increased traffic, etc. I think it's only fair that the community residents with a conditional use permit get a chance to go to a public hearing and have their voices heard. Thank you.

Ms. Ellefson: Susan Ellefson. Thanks for your time and for letting me speak. I'm here to voice my support for the proposed ordinance change. My family has farmed in this county for over 150 years. My husband and I live on the first conservation easement established in this county. Conservation easement is a designation made to preserve open space, protect working farmland, and maintain the rural character of this county and what makes it special. Conservation and preservation of nature is very important to us, my family, and Stafford County, hence the reason they developed the PDR Program in the first place. My grandfather, who proudly served on the Board of Supervisors many years ago, understood that response... that responsibility and passed that legacy on to us. Agricultural zoning exists for a reason to support food and crop production, preserve rural landscapes, and prevent practices that are incompatible with sensitive ecologies. Campgrounds bring increased traffic, noise, and infrastructure that can strain neighboring farms and threaten the environmental integrity of surrounding land. Requiring a conditional use permit for campgrounds on agricultural land is a necessary step to protect our county's long term health and sustainability. These areas often lack the ability to manage increased wastewater and runoff, posing a direct threat to our water quality and the surrounding environment. By implementing this ordinance, you ensure that each proposal undergoes careful evaluation to prevent unintended, irreversible consequences. We owe it to future generations to be careful stewards of our farmland and open spaces. I urge you to support this ordinance and help keep agriculture viable, sensitive ecologies protected, and our community values intact. Thank you.

Mr. Smith: My name is Michael Smith. I live in Fredericksburg. If you're walking east through the woods and you get to my home, my understanding is it's the last house before you come to a campground. And so my concern is going to be talking about the impact on our home, you know, of having a campground, and I'll just say up front. So I would advocate, you know, against anything that expands or allows somebody to expand that campground and make it even bigger, even closer to all of our communities, okay. So my wife and I just moved in in November of 2024. We looked at over 100 homes in the Fredericksburg area, and we decided on this home, primarily because of privacy, the wooded area around it, deer walking across our lawn. You know, in fact, when we drove up, there were a... *inaudible*... of deer standing in front of the garage. We had to shoo them off. And so we looked at all those homes, and in last March, we decided to close on this house. And nobody said anything about a campground. So that was a total surprise to us, okay. And so now it's progressed to the point that it's at right now. And so I'm just saying, you know, I don't want any kind of ordinance that's going to expand, you know, the campground, or make it unregulated in any way, because then we have no privacy, we have no wooded area, we have no deer walking across, you know, our back lawn. That's my last statement. Thank you.

Mr. Walton: Good evening, everyone. Doug Walton, I live in the George Washington District. So I've lived in Stafford for 45 years. I currently live on A-1 zoned property, so this ordinance would directly affect what I am able to do with my land without having to come in here and do things like this. But with that said, I am definitely in support of an ordinance that would require a conditional use permit for campgrounds. Zoning laws on the books were made a long time ago when Stafford was not the county it is today. I think it's just common sense for the county to have the opportunity to evaluate the impact on the area before a campground is approved. Things like environmental impacts, traffic, and public

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safety to name a few. I'm sure you all remember when the methadone clinic was built in a neighborhood shopping center right next to a preschool because of outdated zoning laws. We just listened to a presentation about a neighborhood and all the details that have to be considered. And a campground is basically a neighborhood and should require the same scrutiny as a traditional neighborhood. Ms. Sellers, a camp... if a camper stays in the campground too long and the land owner asks them to leave, would they not be trespassing? And then law enforcement would get involved? I know you can't answer, so it's just a just a thought. That's it. Thank you.

Ms. Meadows: Good evening. My name is Jeanne Meadows, in Grafton Village. I'm going to talk fast sorry. As not an only an individual who loves form every form of camping, from hammocks to my RV, but as a resident holding advanced degrees in environmental management and occupational safety and health, I'm here to speak on the necessity of approving the proposed ordinance amendment without grandfathering existing applications under review. Ensuring responsible land use policies for Stafford County's future, grandfathering such projects would weaken the intended impact this amendment and creates an inconsistency and land use enforcement. I urge the Board to consider not grandfather in support of fair consistent land use policies, protecting community interests and infrastructure planning, and encouraging responsible and transparent development. Exempting current applications could jeopardize environmental protections, road and utility planning, and overall community well being. Stafford County has the opportunity to reinforce transparent, fair, and community driven zoning by applying this amendment without exemptions or grandfathering. I urge the Board to move forward with the zoning framework that is equitable, future focused, and protective of our county. As the idea that grandfathering is required, I did find the Virginia case law generally supports the principle that ex post facto laws apply to criminal statutes, not zoning changes. Example, by Board of Supervisors, Fairfax County versus Cohen 2018 where the Virginia Supreme Court ruled that zoning changes do not fall under ex post facto protections, reinforcing that land use regulations and modified... can be modified without violating constitutional principles. Hill versus Board of Zoning Appeals in Blacksburg 2009 reaffirmed that zoning changes are regulatory, not punitive, and meaning that they do not trigger the ex post facto concern. As well, Virginia legislative issue brief number 35, 2003, while primarily focused on criminal laws, this brief discusses the constitutional definition of ex post facto laws, clarifying that they apply to retroactive criminal penalties and not civil regulations like zoning. As a reminder, Virginia Code 15.2-2280 grants counties the authority to regulate zoning classifications based on public need. Virginia Code 15.2-2283 requires zoning ordinances to promote public health, safety, and environmental protection, supporting restrictions on hazardous developments. This is what leads me to the one we're talking about. Sorry, I'm losing time. But the area that we're here all about is a high traffic campground, would not be consistent for the road as it does not have consistent minimal width, lack of shoulders, no public turnaround space, and frequent flooding. The ecosystems surrounded by wetlands play a vital role in supporting local biodiversity, groundwater stability and flood control. Introducing a high density campground threatens this delicate balance through excessive resource consumption and habitat destruction through extreme water usage, aquifer depletion, and proper storm drainage, runoff pollution, non public sewer options, waste disposal hazards, and impacts on wildlife and migratory birds. Thank you.

Mr. Dodd: My name is Caleb Dodd, in the George Washington District. I would like to urge the Planning Commission to pass the proposed amendment to the code that would require all campgrounds to obtain a conditional use permit before building on land zoned as A-1, Agricultural. I would like to further implore the Planning Commission to put this amendment into effect immediately and allow for no grandfathering and no exception for proposals already in the pipeline. Allowing future or current projects to go alone in Stafford County without first going before the Board of Supervisors and the Planning Commission for a conditional use permit is irresponsible. Furthermore, the proposed

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amendment would create a more efficient process for approval or denial of all projects with the county, and would prevent any new proposals from dragging on without an end in sight. It also would go further to protect our local woodlands, marshes, wildlife, and swamps. Thank you very much.

Ms. Mills: Hi, my name is Carrie Mills, and I'm in the Rock Hill District. I'm here to support the Belle Plains campground. However, I have concerns with this County's conduct, and changing the ordinance mid process. Changing a county ordinance in the middle of a permit request raises serious concerns, and I think they need to be addressed. Fairness and equity, changing the rules mid application undermines trust in local governance and can give the appearance of targeted obstruction. It sends a message that decisions are based on who you are or who you know, not the law or the public interest. Legal and ethical concerns regarding, you know, the applicants have invested time, resources, and money based on the current rules that are in place. To move the goal post mid process is unethical and politica... and potentially illegal. If legal challenges follow, then it's not the Board that pays for that. It's us, the taxpayer in this county, that pay for that. So I, I have a problem with that. Setting a dangerous precedent, if one permit request can trigger an ordinance change like this, what assurance does any future applicant have? The precedent could defer... deter future development and innovation by signaling the rules are fluid and potentially driven... politically driven, excuse me. This behavior raises questions about whether the Board of Supervisors is upholding their duty... excuse me, this Board is upholding their duty to serve the entire community, or if they're acting under the influence of a few well connected families. Reasons why I think this is good for the community, so you understand, is there's a large growing demand for outdoor recreation. It's a proven fact, and you can read it all over that post pandemic, the interest in camping, hiking, and outdoor activities has just skyrocketed. Diverse audience and access to all local campground can serve everyone in the compu... community. Importantly, I think it creates an equitable access to nature for lower income families and children who may not otherwise have means to travel or stay at expensive resorts, but could come and enjoy a place like this. It can bring economic opportunities to the area, benefiting our local restaurants, shops, and any attractions. It promotes outdoor education. It's healthy. It's time outdoors reduces stress, improves mental health, and encourages physical activity, and it's a community engagement type thing. I have questions. Why are you changing this ordinance now, after years without issue? What makes this proposed campground different than Aquia Pines? Why is this by-right land use being recategorized as a CUP? What objective is reasoning to support this? And where in the current ordinance does it say tents only? Because I've heard a lot of that recently, and God, I'd like to know, because the reward is \$100,000. So please show that to me. It would pay for my camper by means. And you know, this is not just about a single project. It's about how this community governs, whether decisions are made fairly, transparently in the public's best interest.

Mr. Apicella: Thank you, ma'am.

Mr. Lilley: Good evening. My name is James Lilley. I'm also in the George Washington District. Because I actually have 50 acres there, it is zoned A-1. I looked up other things that are zoned for A-1. What is... what am I allowed and permitted to do on my property? Some of the things are agri-tourism, farm winery, farm brewery, a farmers market, and a park and playground. These are all extremely consistent with a campground. All right, so if we want to change the regulation and the zoning for a campground to a CUP, we might as well put all of these other things into that. A CUP designation for campgrounds is just another degradation to landowners' property rights. As you can see as staff pointed out, it is already heavily regulated, and those impacts are mitigated by state law and, uh, and state code. I do commend staff's recommendations on changing and clarifying the current regulations that are already out there, because, let's be honest, it was kind of a poorly written definitions and regulations. Their actions are very good. I really enjoy clarifying those regulations. We don't need further regulations however. Again, it's already covered numerous times in VA code, health care code, at the state level.

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However, it is the CUP designation that I extremely or vehemently disagree with. Again, this is just another example of government grabbing up landowners' property rights, and it just doesn't need to take place. There are numerous mitigations throughout the current regulations that already exist and not only on the state level, but in Stafford County as well. So while yes, I do think that the regulations need to be clarified, I think moving campgrounds into CUP is an overreach, and if that overreach continues, then you will see agricultural tourism, farm, farmers markets, playgrounds, and other things also will eventually be taken away. Thank you.

Mr. Apicella: Thank you, sir.

Ms. Johnson: Sorry, this is my first time. My name is Christine Johnson. I'm off of Brook road down where we get flooded in. So I am well versed in traveling down a very small road, and you know, having to be careful, you know, and make sure I don't get run off the road or what have you. But I will tell you what – as a 49 year old grandmother of a four and a half year old, and when he comes to Grandma's house, and we get to go out to Aquia Landing, and we get to go out to the kayak area, he's raised by his mother to love the outdoors as I did as a little girl growing up in Minnesota. It breaks my heart... I'm not a good speaker, and I didn't write down all kinds of notes, but it breaks my heart that Stafford County residents would fight against such a beautiful family thing, fishing, kayaking. I have four and a half acres, and I'm surrounded by other homes. I have deer that walk, and I had a buck walk up to the front of my doorstep. I have him on camera, and he ate my bushes, you know. And it's like, I just stood there and watched them and had conversations with them. It just... the children today now are that's all they do is walk of the phones like this. They're, they should be out fishing and, you know, playing in the water and all that enjoy. And if we start taking it away from them now, I swear. I mean, we are just, we are opening the door even more to, you know, couch potatoes, and if I hear one more person, I want a movie theater. I want to be outdoors. They're gonna have, they have rescue Shetland ponies. They're gonna have camp... being able to roast s'mores, an ant hill, a dog washing station. You know, all of the joys of, of whether you want to do glamping or camping in a tent or you just want to sleep in a sleeping bag. You know, everybody's different level. I've seen people have little pull trailers that it sleeps just one little person, and they go all throughout the United States and they visit the different places. Why are we saying no to the people and opening that experience to them. So please, please people, let's just get back to nature and enjoy family stuff and take care of the little ones that are, you know, going to be our future, and take care of us when we move to the 55 and over communities. So thank you.

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

Mr. Loving: Yes, sir, my name is Arthur Loving. And before you get this campground thing, you know, it's, it might be nice for some, but it's not for us. We have no road to begin with. It's overcrowded. The state never comes down and cuts the grass. You can go down there right today and see this situation. You have that much on each shoulder of the road to get off of the black top. And that's one of the things. And where they're putting this campground at, it is swampy land. How they got a permit to do all this, I don't know. If you don't believe me, you can go down and look for your own self. And now, as the summer comes, we got Belle Plains Boat Club right at the end of the road. And people don't pull canoes up and down the road no more behind cars and trucks. They got boats. I mean, big boats. You have to stop, get over, let this guy go by, you know. So the more traffic you put in our area, the worse it's going to be. And I see no advantage to the campground. Not for this county, not for us, or maybe, who was, you know, owns the campground, or buying the campground, or whatever, they may profit good, but it's just gonna put another stress on, you know, the county for services and all that in the Agricultural district. And another thing about canoes, let me tell you something. Every weekend, not every weekend, well, every day they have, there's bass boats every week, maybe once, twice a month, they have bass

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tournaments. I'm talking about 25 and 30 boats, 40 boats. They all run 60 miles an hour. You rode in a little canoe and here comes a bass boat at 60 miles an hour, what's gonna happen? It don't take much figure that one out. So you know, this is not the place for it. We have bass fishermen all day, we have snakehead hunters all night, and we have a commercial fisherman goes on in the creek. So we're really loaded up on this. But anyhow, think about that. If you don't believe me, you come look for yourself. That's all I can tell you. Thank you.

Mr. Apicella: Thank you, sir.

Ms. Maxson: Kristen Maxson. It's interesting, grandfathering, the word grandfathering. We just grandfathered databases at the last minute, so it just took a minute to grandfather them. Grandfathering means that you've been there for a long time, and when you purchase the property, you purchase it under certain laws. And so the word grandfather should not be flip flopped in favor of some and not others. Grandfathering means you were there when the laws were active, and it should be considered. Now this area that we're talking about, or people are coming in, even though this is, this might affect all the areas, even maybe where some trailers are in the targeted district area, and it's, it's going to affect a lot of people. And the fact is, is you just can't take land and investments away from people by, by, you know, choking them here and there. And so I really believe that there are, this is the Crow's Nest. There are already laws. There's federal laws and state laws. There's the Chesapeake Bay. And in 2008 Stafford almost went broke, and there was a joint effort with Stafford and a developer to develop the Crow's Nest. And that came to a halt because of Chesapeake Bay laws. And so that developer, I think, went close to bankrupt, if he maybe did go bankrupt. So that was very painful for a developer, and so it makes the developer, the homeowners, the staff, everybody at uneasy. And so my recommendation is, this is government overreach. This is local government overreach. Let the federal government do the regulations here of waterways and open space, but don't do it on a small level. And let people, you know, if, let them, you know, if they feel that they want to move because they're uneasy about their next door neighbor, let them be able to sell. And, you know, put their house on sale. Now we have lots of little houses going up, so maybe the demand for sales might not be great, but the land is there and the land is worth something. So don't belittle the landowners, because in, in 2008 and 2010, 2020 they were saying, come and buy the land and invest into Stafford. Now we're here at 2025. Thank you.

Mr. Apicella: Thank you.

Mr. McCleod: Mark McCleod. I've been a proud resident of Stafford County for over 22 years. I'm a Class A contractor, and have worked hand in hand with Stafford County on many projects throughout those years. A few years ago, my wife and I purchased 75 acres on Belle Plains Road with the dream of building a campground, a legal use on A-1 zoned land clearly allowed under the current ordinance. But what's unfolded since then should concern every homeowner in Stafford County... landowner. In 2015 a previous Board of Supervisors and Planning Commission, just as you, made thoughtful, intentional changes to the Zoning Ordinance to allow what is now allowed in campgrounds. That process took time, public input, and careful consideration. And yet today, those changes are being ignored. The Planning Department has attempted to impose its own version of the ordinance, one that doesn't exist in writing, by claiming campgrounds are for tents only. We've gone line by line through that ordinance. We are now offering \$100,000 to anyone who can find that type of language in the ordinance that exists today. But I guarantee you, you're not going to find it. It's not there. So here's the question – does it matter what the Board of Supervisors, or even yourself, and all the effort that you put into these Board, these meetings, does it matter what you decide? Because it didn't matter in 2015 because here we are now. If the Planning Department... does it matter if the Planning Department can just make its own rules as they go. This isn't just about my campground. It's about property rights, due process, and the rule of law. If

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the Planning Department can overreach to block something that they personally don't want despite legal approval, then every landowner in this county should be alarmed. What happens when they don't like your by-right use? Will your project be next? We live in a country of laws, a local... and local government should be no exception. The rules matter, and if they don't, we're not governed by ordinances, we're governed by opinions. That's not the Stafford County I've proudly called home for over two decades. Thank you very much for your time.

Mr. Apicella: Thank you, sir.

Mr. Hampton: Wow. My name is um, my name is Clay Hampton, and that's exactly why I'm here. I'm brand new to Stafford County. I think I live in your district. I'm not sure. I'm right off of the Hovey Drive. So I'm a newer family, and I have three young children, and we just love nature, and that's why I'm here. Well, partly why I'm here. I heard there was \$100,000, that's the other reason I'm here. And so I just want to say, thank you, Mr. Chair. I don't know how this goes. This is my first hearing, I'm a little nervous, so I guess you got to get over that part. But it sounds like that guy was the owner and the developer. And I just want to say I've been following this project on Facebook. That's how I saw about it and heard it through the grapevine, and I'm excited to see an establishment of a good campground, because I love nature. You know, my family loves to connect with nature, and I'm sure a lot of you do too, but honestly, I just can't believe the narrative that's unfolding in front of my eyes. I'm 44, years old. I'm not very political, that these people intend to harm the environment. I just don't understand that. The reality is that we're, we're invest... they're investing, it sounds like in everything that they have to create a sustainable environment for everybody to enjoy and to preserve nature for future generations, not destroy it. And when I saw that post for \$100,000 today, I was, I saw the 25 and then it went up, I jumped in because I need money. I don't know about you guys, but I need money. So I was like, I'm gonna go look maybe, maybe they've missed something. And after doing a lot of research, I just jumped on Google and and I went in there, I saw this thing about tents only, and I didn't understand, I didn't understand what this thing was about. And I said, can it be found? And I realized that section is nowhere in anything that I can find. And trust me, for \$100,000 I looked for it over and over and over and over again till four o'clock in the morning. But I'll tell you this, I started looking into why the county would all of a sudden go against their own ordinance to try to force tents only for this project. And the only thing that I could find is maybe the pressure from the surrounding communities, which is represented here today, and their frustration is why we're in this place that we are today. All I can truly say is that they've been pushing this whole thing for quite some time, because through my research, I found that most of them have an easement across this property that they've purchased. So I said to myself, hmm, let's take a look at these who these people are. So I looked everybody up on Google. I looked everybody's plot up. I'm just a Googler, right? So I looked everybody up, and I found out that most all these people who are fighting this are good, outstanding citizens. That's what I found. But one stood out to me; an old court staff official that drives across the campground property to get to their vacation home on the water, along with a few others. So I said to myself, there it is. Now I get it and I finally understand the uproar surrounding the proposed campground and the push to modify the ordinances to obstruct legitimate efforts to invest in the community. The implications of such raised concerns about transparency and fairness, and I agree with, with him, that this decision making process is kind of crazy, and I'm almost there.

Mr. Apicella: Sir, I'm sorry your time is up. Thank you very much.

Mr. Hampton: Thanks.

Audience member: Can I come back up? I only need a minute... *inaudible*.

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Mr. Apicella: Nope, sorry, sir. It doesn't work that way. Is there anybody else who hasn't commented that would like to comment?

Ms. McLeod: Hi there. My name is Vivian McLeod and my husband and I are the owners of the proposed Crow's Nest Adventure, a family run campground that we believe to be a unique and valuable addition to the Stafford County. We moved to Stafford over 22 years ago and raised our three children here. This is our home. We've seen it grow, and we've been proud to be a part of the Stafford community. When we bought our 75 acres, our original plan was to build 12 single-family homes. We even had an engineer design a subdivision. But after hearing concerns from neighbors, we did not, that did not want houses on our property, we took a step back and we listened. As we spent more time on that land, we fell in love with it and saw how much the original owner had cared for it. We began to see it not as a development site, but as a place worth preserving and sharing. But when we decided, that's when we decided to create a campground. The land is on A-1 where campgrounds are by-right use of 10 acres or more. So we move forward with full commitment. We are lifelong campers and raise our children to enjoy the outdoors through camping. But we saw quickly that Stafford had a serious gap. It does not have a true campground for short term, serious for camping. All the existing camping areas in Stafford were RV travel trailer parks with people living permanently. This was not what we were used to, and not for our families, scouts or visitors looking to enjoy nature for a weekend or vacation. So like many, we had to leave the county, traveling to Fredericksburg KOA, Westmoreland, Woodbridge, and Lorton to find us a campground. So we want to change that. Our vision is not about having an RV travel trailer park with people living permanently, but a true campground with temporary stays, a place based on conservation, recreation and creating a safe, peaceful space. We've worked closely with the county staff to meet every expectation and review; environmental, emergency access, traffic, and the list goes on. The project is fully aligned with existing ordinances. I know tonight's public hearing is about proposed changes to the current campground ordinance, but many of us, like us here in this community, are confusing concern. Why won't the county honor the current ordinance already in place for our campground? That's, that's a question. One who followed in good faith from the start. Now, we sit 18 months in our site plan review and still being denied for what's currently allowed in the ordinance and lawful land use. It feels like the rules are being changed mid game, and it seems a discouraging message to community and small business owners trying to do things the right way. Our hearing is set for this Monday, May 19, at one o'clock here at this courthouse, the day we sadly have to fight Stafford County for the lands, our land.

Mr. Apicella: Please, be respectful.

Ms. McLeod: I'm sorry. But this is the day that we sadly have to come to fight Stafford County to fight for our land's lawful use.

Mr. Apicella: Thank you, ma'am.

Ms. McLeod: Thank you for hearing us.

Mr. Apicella: All right. Last call for comments.

Cannon: All right, good evening. My name is Cannon. I'm 17 years old. I've lived in Stafford my whole life. I attend Mountain View High School. I'm a senior, and I'm graduating this year. I want to speak in support of the proposed campground. As someone who's been lucky to grow with parents who took me camping and helped me build a connection with nature, I know firsthand how important outdoor experiences are especially for teens. Some of my closest friends live in townhomes, apartments where

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there's no yards, no woods, no to explore and like no campfires. A campground like this would give them so many... wait, sorry... like this would give them and so many other kids in Stafford a real chance to experience nature the way I've been blessed to. It's not just about fun, it's about learning independence, respect for others, I mean, respect for outdoors, and building friendships away from the screens and concrete. This place, this kind of place, could also be a huge benefit for youth organizations like the Boy Scouts, where camping is a core part of learning and growth. Right now, most campgrounds around this area, there are people living in them full time, run down. That's not what this campground is going to be. It's going to be something different, something simple, nice and made for youth and families. I ask the Planning Commission to please support this campground and help everyone, even the Board of Supervisors, to see how awesome this will be for kids like me. Also, I leave for Liberty this fall, and I'll be back every summer, and I intend on working at this campground. So imagine all the teens that could have a good job opportunity to work at this campground. And one more thing about the kayak, the kayak situation, me and my brothers were out there fishing today on kayaks. We had no problem at all, so I don't know what that was about, thank you.

Mr. Apicella: Thank you.

Ms. Dodd: We're the Dodds, Julie and Rodney. Our property adjoins the proposed Crow's Nest Outdoor Adventure campground property. And for the record, I stress that we adjoin the campground. We do not have an easement across that property, as had, as has been incorrectly stated elsewhere. Initially, you all made it sound like this was going to be high level, but the other speakers have all been talking directly about the proposed Crow's Nest campground. So I'd like to say that we've lived here for 25 years, and my father and grandfather built the home we live in. We have no intention of ever leaving it. I grew up just a few houses down from where we live now, so I have an entire lifetime of intimate firsthand knowledge of how special this area is, as well as how fragile it is. I implore you to accept the proposed amendment to the code that will require all campgrounds to obtain a conditional use permit, and if approved by the Board of Supervisors, it needs to be designated as applying immediately to any and all pending applications, so that no one is grandfathered in and allowed to skirt the conditional use permit requirement. The proposed campground, if approved by the county, could potentially cause harm to the environment, particularly Potomac Creek and Big Marsh which border the land that the campground will be on. And the plethora of wildlife that make their homes in and around that area could possibly be harmed as well. A rotating multitude of RVs on that property and the associated hundreds of people there camping could strain the aquifer there and drastically increase the potential for sewage contamination of our wells, also contaminating the Big Marsh and the Potomac Creek, again, possibly harming the wildlife who live and breathe in that pristine area. I know this isn't the forum to continue with a host of reasons about the negatives of the campground, but I'd like to add one more reason why I'm imploring you to accept this amendment to the county code. My hope is that if this amendment passes, and if there are future applicants for campgrounds in this county, that it will significantly speed up the process for any future campground to either be approved or denied, so that the adjoining property owners like us don't have to live through 18 months of stress while the developer and the county go back and forth. Every day for the past 18 months we've had to wonder if we'll soon be looking at a six foot board fence that the county will require the developer to build on our property line, a fence that my son can stand flat footed and look over and will in no way block out the noise and possibly the lights coming from the campground. I've lain awake more nights than I can count, agonizing at 3am over having to put in a multitude of security measures that will buy our family some peace of mind while a rotating cast of hundreds of people there camping are just mere feet from our home. And for 18 months, we've watched the deer, the foxes, the water birds and all the other wildlife, and wondered how they're going to react and where they'll go when the construction equipment rolls in to take down trees, to clear the campsites, build the bath houses, camp, office, sports courts and all the other proposed amenities. So

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please pass this amendment and prevent other citizens from having to go through the same 18 months of stress and uncertainty that we've endured, waiting and watching for a decision that will impact how they live the rest of their lives.

Mr. Apicella: Thank you, ma'am. All right, I'm going to ask one more time. Does anybody else wish to comment on this item? All right, seeing no one else, I'm going to close the public hearing. I do have a question for Mr. Geouge. So again, just to understand, what is a CUP? What's the intended purpose of a CUP?

Mr. Geouge: The intended purpose of a CUP is to mitigate impacts of a specific type of development that may not be seen as compatible with the other by-right uses of the zoning district.

Mr. Apicella: Or it may be compatible but with conditions.

Mr. Geouge: But with conditions, correct.

Mr. Apicella: Right. Okay, anything else you want to add to that or is that pretty, pretty much it?

Ms. Sellers: Mr. Chairman?

Mr. Apicella: Yes, Ms. Sellers.

Ms. Sellers: I have, I have a question as well for staff. Are we, so there's two before us. What exactly has the Board of Supervisors asked us to vote on? Now that we have heard all of this, can you just go over again what ex... before we put a motion on the floor, what exactly are we being asked to vote on?

Mr. Geouge: So when the Board sent this down to the Planning Commission, they did authorize you to make changes as you deem appropriate. So the, I should say, when the Board referred it to the Planning Commission, they were essentially endorsing it as proposed, with the option of further amendments by the Planning Commission. So then the Planning Commission formed the subcommittee, made those adjustments, and you are voting on that further amended draft ordinance.

Ms. Sellers: On one of the two, either the subcommittee version or the alternate version?

Mr. Geouge: So staff is recommending the alternate version, but it's really up to you which one you, you'd prefer to go with as far as the vote.

Mr. Apicella: All right, thank you. All right, so I'm going to bring it back to the Commission. I do have one suggested change if we choose to go forward with the alternate version based on a comment that somebody made earlier on. This may be noodling it too much, but it might be worth considering. So under a camping unit, it says, any tent, pop-up trailer, travel trailer, recreational vehicle, cabin, lean-to, or similar accommodation established or maintained and operated as temporary living quarters for recreation, education, or vacation purposes. And what the gentleman mentioned was, and maybe it's a more recent thing, that somebody could put a camper on the back of their truck. So I just wanted to add the words truck bed camper after lean-to. So it would say lean-to, comma, truck bed camper, comma, or similar accommodation. So again, there are two versions in front of us. Staff have recommended the alternate version. Is there a motion to move forward with either version? And again, if you choose to go forward with the alternate version, add in those few words. Yes, please go ahead, Ms. Caudill.

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Ms. Caudill: Can you refresh my memory on what the special regulation that Fauquier County has?

Mr. Geouge: Yes, I have that, just a moment. All right, those special regulations include minimum parcel size of 20 acres; no structure or campsite or recreational facility within 100 feet of the property line; parking and loading areas, swimming pools and tennis courts must be screened. For tent campgrounds, trailers are not allowed; only permanent structure is for occupancy by resident owner or manager; facility must have access to a travelway of 20 feet or width maintained by the state; maximum of one campsite per acre. For RV park, no more than 10% of total campsites will be cabins, cabins not to exceed 600 square feet; electrical outlets, central sanitary stations required, toilet and shower facilities required; property shall have direct access to a minimum of 300 feet of frontage on a road designated as a principal arterial or higher in the Comp Plan, unless waived; a maximum 10 camp sites per acre, so that's more restrictive than the state guidelines of 20; camp sites at least 1600 square feet; accessory commercial uses are permitted exclusively for the use of campers; 60 day limit of stay; only one permanent residency for the resident owner or manager; 50-foot wide landscape buffer requirement; mobile homes prohibited.

Mr. Apicella: Mr. Zuraf?

Mr. Zuraf: Yeah, and I just want to add to that, so in our situation where we do not recommend the special regulations, we, although special regulations that Brian mentioned, they could, you know, potentially be considered as conditions on a case by case basis should individual, you know, requests come our way. So just point that out.

Mr. Apicella: All right, thank you, Mr. Zuraf. Ms. Caudill?

Ms. Caudill: And then correct me if I'm wrong, but there has been a lot out there with everything that everyone has discussed here, here tonight, but the purpose of an A-1 district is to reserve areas for traditional agricultural activities and to provide for their continuation as well as preservation. Is that correct?

Mr. Geouge: I don't have that description in front of me, but it sounds right.

Ms. Caudill: Okay. All right. Okay.

Mr. Apicella: All right, would anybody like to make a motion? Okay, go ahead.

Ms. Caudill: A lot of people have mentioned about grandfathering in. Does that need to be addressed at all here, or will that just be sent up to the Board and then the Board makes that recommendation?

Mr. Apicella: I think the referral doesn't give us the ability to determine grandfather or not. I think ultimately they would decide that at their discretion.

Ms. Caudill: Okay.

Mr. Geouge: Mr. Chairman, if I may?

Mr. Apicella: Yes.

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Mr. Geouge: With the referral resolution, the Board specifically incorporated a statement in support of grandfathering pending applications. So that is in the referral resolution at the end. It's not currently in our draft ordinance. However, if the Board continues to feel that way, they can certainly incorporate that before they vote on it.

Ms. Caudill: But, but when you say that the referring, that means if the application has not expired, is that correct?

Mr. Geouge: That was specifically for pending there.

Ms. Caudill: Okay.

Mr. Geouge: They wanted to convey that to the Planning Commission that they are in support of grandfathering pending applications.

Ms. Caudill: And that's not in the alternate ordinance that you have that we've seen.

Mr. Geouge: It's not in either ordinance at the moment, but that is something that will be discussed again when this gets to the Board.

Ms. Caudill: Okay.

Mr. Geouge: If they want to continue that, that will be ultimately incorporated into the ordinance.

Ms. Caudill: Okay, thank you.

Mr. Apicella: Again, would anybody like to make a motion to proceed forward?

Ms. Caudill: I'll make a... I would like to make a, let me get my other paper, they're everywhere... I would like to make a motion to approve the Ordinance Amendment for the Table of Uses and Standards, also known as the Campground Use Amendment, Proposed Ordinance O25-07, the alternate version.

Mr. Apicella: Okay, and are you accepting the change that I offered?

Ms. Caudill: I am accepting the change.

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

Mr. Shelton: Second.

Mr. Apicella: All right, thank you, Mr. Shelton. Any further comments? Ms. Caudill?

Ms. Caudill: No, I think I've pretty much said everything. I mean, I appreciate everyone coming out and giving your opinions on this, and you know, all we can do is make a recommendation to the Board. Unfortunately, we don't have the power to make everyone happy, so we do try our best and, but I, that's all I've got for now.

Mr. Apicella: All right, thank you, Ms. Caudill. Mr. Shelton?

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Mr. Shelton: No additional comments.

Mr. Apicella: Anyone else? All right, there's a motion to accept the alternate version of the CUP... I'm sorry, the draft Ordinance related to campgrounds. Please cast your vote. That motion carries 6 to 0 (*Mr. Bratton absent*). All right. I thank everybody for coming out and expressing their views, regardless of which side of the issue that you're on. All right. Thank you very much. Moving on. We have no Unfinished Business. New Business, Mr. Zuraf.

UNFINISHED BUSINESS

NONE

NEW BUSINESS

4. Application Time Extension – A request to grant a time limit extension for action for a zoning reclassification application, pursuant to Stafford County Code Sec. 28-162, “Review and requirements,” for a project known as Cranes Corner Data Center.

Mr. Zuraf: Please recognize Brian Geouge for the staff presentation for item 4.

Mr. Apicella: I would just ask everybody to please be quiet as you exit the building as we have additional business to take care of you.

Mr. Geouge: Thank you again, Mr. Chairman, members of the Commission. This one should be quick. This is a request for an extension to the 12-month time limit for a zoning reclassification. This is for the Cranes Corner Data Center located off of Route 1, just on the north side of Centreport Parkway. They submitted a zoning reclassification back in June 11th of last year, so we're coming up on that 12-month timeframe. The agent for the owner has submitted this request for an extension which will push the application back to December 11th of this year. And I will note that they have been diligently pursuing the application so, so no issues there.

Mr. Apicella: All right, thank you. Questions for staff? Please go ahead.

Ms. Caudill: Just, just so I understand this, because I'm still new I feel like to this. So when they come on the Pipeline Report, so this, this Cranes Corner came on the Pipeline Report at the July 24, 2024 meeting. How long does it normally take for something to make it to us, so they don't need a time limit, limit extension.

Mr. Geouge: Well, I know there's been a bit of a backlog recently, as I'm sure you're aware. So it varies depending on the complex of the application, the responsiveness of the applicant sometimes, how quickly staff can get to it is, is an issue sometimes so. And, and that was the case for this one as well. We had some delayed turn around on, on review times for the submissions.

Ms. Caudill: Okay.

Mr. Geouge: So, but I would, you know, say typically, you know, in the four to six month range, I would say; six months, give or take.

Ms. Caudill: Okay, thank you. Like said, I'm new, so I'm just trying to put everything together.

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Mr. Geouge: Yeah.

Mr. Apicella: Ms. Barnes?

Ms. Barnes: I'm not new, but I'm still trying to put everything together. My question is, is after the last... these, these normally are kind of, you know, a no brainer, because we know you guys are really overworked and you've got a lot of applications, especially with these lovely data centers coming along. But, one of the last time extensions there was, I believe it was with the Silver one down at the at the golf course, I didn't know, and it came to be during the Board of Supervisors meeting that they actually hadn't responded for almost a year, and so the delay to me was on their end. Had I known that it would have been a whole different story for me. For this, you're saying the delay is not on their part. It's just because we've got a lot going on and not as many people as we need to handle the applications. That's your opinion.

Mr. Geouge: I'd say that probably, that probably accounts for most of it, yes.

Ms. Barnes: Okay, thank you.

Mr. Apicella: Mr. Shelton?

Mr. Shelton: I'd like to make a motion we approve the extension to December 11th.

Mr. Apicella: Is there a second?

Ms. Barnes: Second.

Ms. Evans: Second.

Mr. Apicella: Okay. A motion has been made to approve the time extension made by Mr. Shelton. Somebody on this side made it, the second. Any further comments, Mr. Shelton?

Mr. Shelton: No, sir.

Mr. Apicella: Anybody else? Okay, all those in favor of the motion to provide a time extension, please go ahead and cast your vote. All right, that motion carries 6-0 (*Mr. Bratton absent*). All right, moving on. Planning Director's Report.

PLANNING DIRECTOR'S REPORT

5. Project Pipeline Report (For Information Only)

Mr. Zuraf: Yes, Mr. Chairman, we provided the latest Project Pipeline Report for information purposes showing some of the upcoming meetings. You'll see that we do not have a public hearing scheduled for your next meeting on May 28th.

Mr. Apicella: So there's a motion to cancel the May 28th meeting made by Ms. Sellers. Is there a second?

Ms. Barnes/Mr. Shelton: Second.

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Mr. Apicella: Okay.

Ms. Barnes: I want that one.

Mr. Apicella: Ms. Barnes gave the second. I just want to comment that we only cancel meetings when we don't have public hearings. Is that correct? Or if there's a weather event precluding us from coming to a meeting. Is that generally the reason why we might...?

Mr. Zuraf: Generally, unless there is some continuation, or, you know, if we have other unfinished business, or maybe new business, like a preliminary plan or something. But typically it does line up with whether or not we have public hearings.

Mr. Apicella: Okay, I just wanted to get that out there for the public record that we're not willy-nilly deciding not to come to a meeting that might not otherwise, not otherwise happen.

Mr. Zuraf: And there's no other business to, you know, yeah, there are no other items scheduled for that meeting.

Mr. Apicella: Okay. I'm just going to do this by voice vote. All those in favor of canceling the May 28th meeting, please say aye.

All members: Aye.

Mr. Apicella: Opposed? All right, that motion carries. Thank you, everybody. County Attorney's Report.

COUNTY ATTORNEY'S REPORT

Ms. Lucian: I have no report.

COMMITTEE REPORTS

CHAIRMAN'S REPORT

6. Appointment

- * Parks and Recreation Commission (Non-Voting Member)

Mr. Apicella: Okay. I have one item under the Chairman's Report. We we currently have a vacancy on the Parks and Rec Commission. I'd like to appoint Ms. Kelsey Caudill to that position. Are you okay with that, Ms. Caudill?

Ms. Caudill: Yes.

Mr. Apicella: Okay, great. And that's subject to the Board of Supervisors approval, just so get that out there.

Ms. Caudill: Okay.

OTHER BUSINESS

7. New TRC Submissions

- [25156280](#) – Stafford Technology Campus West Substation
 - A major site plan for construction of 1 substation located on the east side of Richmond Highway between State Shop Road and Perchwood Drive, on TM # 38-124 and 38-124A, zoned M-2, consisting of 27.23 acres, within the Falmouth Election District.
- [25156368](#) – Centreport Village Clubhouse
 - A major site plan for the construction of a clubhouse and pool located east of I95 south of Mountain View Road, on TM # 37-30A, zoned R-2, consisting of 5.88 acres, within the Hartwood Election District.
- [25156395](#) – English Oaks Senior Apts
 - A major site plan for proposed site improvements located north of Plantation Drive between Truslow Road and Legend Drive, on TM # 45 119G, zoned R-3, consisting of 16 acres, within the Falmouth Election District.
- [25156391](#) – Central Stafford Comm Ctr
 - A continuation for a major site plan (23155280) for 18,000 sqft auto repair, motor vehicle rental, and 5,000 sqft outdoor storage located on the east side of Mineral Spring Way between Big Spring Lane and Kelvic Way, on TM # 38-102E, zoned M-1, consisting of 5.28 acres, within the Falmouth Election District.
- [25156403](#) – Stafford Technology Campus Ph 4 (South Campus West)
 - A major site plan for construction of two (2) data center buildings located on the east side of Richmond Highway between State Shop Road and Perchwood Drive, on TM # 38-29A & 38-124, zoned M-2, consisting of 301.43 acres, within the Falmouth Election District.
- [25156386](#) – Creekside At Myrtle Grove
 - A subconstruction plan for the creation of 39 sfd lots located on the west side of Brent Point Road north of Arkendale Road, on TM # 31-41, zoned A-2, consisting of 282 acres, within the Griffis-Widewater Election District.
- [25156361](#) – Westlake Sec 1D & 1E
 - A subconstruction plan for 57 single-family lots located at the end of Charlie Coakley Lane on TM # 35-20, zoned R-1, consisting of 48.83 acres, within the Hartwood Election District.

Mr. Apicella: Other Business, TRC meetings, Falmouth, Hartwood, GriffisWidewater, all the links to those TRC meetings are provided in the staff report. We have no minutes to approve. With no further business before the Commission... I'm sorry, go ahead, Ms. Sellers.

Ms. Sellers: I just want to make a quick announcement. VDOT has two studies out right now in Stafford, one by the new high school on Truslow Road, and one in North Stafford on Mine Road, that people should be aware of and commenting on. And that's going to put for future funding projects. So those are out on VDOT's website, and people should be commenting on them. And they, I think they're open until next week.

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Ms. Barnes: Do you have them on your personal page?

Ms. Sellers: Do I have them on *my* personal page?

Ms. Barnes: The link on your personal page?

Ms. Sellers: Do I have a link? Have I... I may have shared it on my personal page, but I believe the schools were putting the one for the one by the new high school out. But I also wanted to put it out for the county that we do have those two, VDOT does have those two studies that are out for future project so.

APPROVAL OF MINUTES

NONE

ADJOURNMENT

Mr. Apicella: Thanks for the information, Ms. Sellers. All right, we are hereby adjourned.

At 8:50 PM, Chairman Apicella adjourned the May 14, 2025, Stafford County Planning Commission meeting.