

The Smithfield Planning Commission held its regular meeting on Tuesday, November 13th, 2018. The meeting was called to order at 6:30 p.m. Members present were Mr. Randy Pack, Chairman; Mr. Charles Bryan, Vice Chairman; Mr. Bill Davidson, Dr. Thomas Pope, Ms. Julia Hillegass, and Mr. Michael Torrey. Mr. Mike Swecker was absent. The staff members present were Mr. William G. Saunders IV, Director of Planning, Engineering and Public Works; Mr. William H. Riddick, III, Town Attorney; and Mr. John Settle, Planning and Zoning Administrator. There were four (4) citizens present. The media was not represented.

Chairman Pack – Good evening ladies and gentlemen. Welcome to the Smithfield Planning Commission meeting of November 13th, 2018. We will start our meeting with the Pledge. Please stand.

Everyone present stood and recited the Pledge of Allegiance.

Chairman Pack – The first item on the agenda is the Director of Planning, Engineering and Public Works Activity Report with Mr. William Saunders.

Director of Planning, Engineering and Public Works – Good evening Mr. Chairman and members of the Planning Commission. The contractor for the Joseph W. Luter, Jr. Sports Complex is going to begin replacement of some of the faulty elements in the sewer system the week after Thanksgiving. Hopefully, it will wrap that project up for the most part. The turn lane right-of-way acquisition has been cleared with VDOT. We advertised the Invitation for Bids. We will have a bid opening on November 29th. The Clontz Park Boat Ramp contractor has cleared all of his permitting hurdles and hopes to start breaking ground over there as soon as the weather clears. He has already mobilized some equipment. Lastly, I would like to introduce our new Planning and Zoning Administrator, Mr. John Settle. He has been with us for about a month. He grew up in Virginia Beach. He is a Hampton Roads fellow; but his last station was the Town of Strasburg. We are certainly glad to have him onboard.

Chairman Pack – Welcome John. We are glad to have you. We will now move to Upcoming Meetings and Activities. Please review the list. We will move to Public Comments. The public is invited to speak to the Planning Commission on any matters except for scheduled public hearings. We do not have any of those tonight. Comments are limited to five minutes per person and any required response from the town will be

provided in writing following the meeting. There are no signups this evening. Is there anyone who would like to speak that did not sign up? Hearing none, we will now move to Planning Commission Comments. Are there any comments from the Planning Commission members? Hearing none, we move to the Entrance Corridor Overlay District Design Review – 1604 S. Church St. – Ray Barlow, applicant. Could we have a staff report please?

Director of Planning, Engineering and Public Works – Mr. Barlow came in month before last for an application for 1604 S. Church Street to do some interior and exterior renovations. It is the old Boulevard Cleaners building. He proposed, at that time, to do a speculative unit with multiple office spaces inside. I believe now he has a buyer for that. It may have spurred some changes but I will let him discuss those details further with you all. Previously approved by the Planning Commission at the August 14th meeting was an application to replace the existing siding with gray vinyl siding. He planned to replace two existing front windows with picture windows, remove the chimney, install wheelchair ramps on either end of the front porch, and remove a large pine tree in the front of the building. There were a couple of conditions on those approvals. The first was that there would be a landscaping plan compliant with the ECO District Ordinance and standards be submitted to the town. The other was that the wording for the picture windows provided some flexibility as to the size. The applicant has now amended this application to include the following proposed improvements: installation of a seven foot wide and four foot deep gable porch roof on the southern doorway of the primary façade, the rake end of the gable will be sided in vinyl to match the remainder of the building that was approved in August, install one pair of raised panel shutters on either side of the picture windows, install a wheelchair ramp on the southern end, install front porch steps in front of the southern doorway, and install front porch steps on the northern end of the front porch. The design and materials proposed are in keeping with the ECO requirements. A strength noted on this application is that the proposed changes will improve the façade of an existing building that pre-dated the ECO requirements. This will bring it more into conformity with the district. A weakness of the application is that the applicant has still not submitted a landscaping plan compliant with the ECO District Ordinance standards. Thank you.

Chairman Pack – Would the applicant like to speak? Please come to the podium and state your name and address for the record.

Mr. Barlow – I live at 17541 Scotts Factory Road in Smithfield. As you heard from Mr. Saunders, I am proposing a simple front porch façade on the building. We have sold the building and are doing some changes to the exterior to fit the buyer's needs and also the needs of the Town. Obviously, a handicap ramp is required. By doing this, we are giving a balanced look on the front of the building so it looks more appealing instead of a random ramp on the side of the building which took away from the front façade. By adding the gable to the front porch, it provides a place for anyone to come up and be out of the weather to get in the door. Another reason we could not have the ramp on the side of the building is because the back door entrance now goes straight into the kitchen of the bakery. By code, we cannot have a random person walking straight into that area because it is a health violation. This will allow every customer to come in through either front door. Everything else is pretty basic with shutters on the side of the windows for curb appeal. We left the chimney intact. We were going to take it out. The reason we left it is because the whole chimney is the flue vent for the furnace that is inside. We would have had to have another roof collar and roof vents in place of the chimney so we left it as it was. Nothing has changed really to affect anything else on the interior that you all would be concerned with anyway. There were only some minor changes. We did stick with the size windows that you saw last time and had agreed upon. The only other thing I can think of is that you had mentioned the landscaping. The business owner is actually going to come up with her landscaping scheme and submit that to the town. I will bring it for her. She is working with a landscape architect now to work something up. When it is done, we will have all of it presented at another meeting. Does anyone have any questions?

Dr. Pope – Is the handicap ramp going to be long enough to be able to accommodate whatever the rise and run is for that section of the building?

Mr. Barlow – It is sixteen inches high from the ground level to the bottom of the door stoop. The run of the ramp is exactly sixteen inches to the edge of that building. It is a one by one fall. It worked out perfectly.

Chairman Pack – Thank you, Mr. Barlow. I have a question for Mr. Saunders. One of the things we discussed was the landscaping plan. If we were to provide approval tonight, what do we need to bring the landscaping into compliance? What tools do we have at our disposal if they fail to do something?

Director of Planning, Engineering and Public Works – There may be a Certificate of Occupancy required because of a change of use; sometimes there is and sometimes there is not. If they needed a new Certificate of Occupancy, we could certainly make sure that the landscaping was either done or bonded before we would issue the Certificate of Occupancy. If you all vote with a condition on it, regardless, it is a regulation applied to their property. When there is a Certificate of Occupancy in play that makes it a lot cleaner because you can do a partial approval with the landscaping outstanding if need be. They can then bond the landscaping. Sometimes we like to do that so they can plant at the right time of year. We want their landscaping to succeed as much as they do. It is not abnormal to do that.

Chairman Pack – Has the pine tree been removed at this point?

Mr. Barlow – Yes.

Mr. Davidson – Isn't that pretty much what we did last month? We approved it with the exception of the landscaping.

Director of Planning, Engineering and Public Works – Yes. You had a condition that a landscaping plan compliant with the ordinance and standards be submitted to the town.

Mr. Davidson – We can do that again.

Director of Planning, Engineering and Public Works – We can administratively review it and approve that.

Chairman Pack – Are there any other comments or concerns? Hearing none, do I have a motion?

Mr. Davidson – I would like to make a motion that we approve it as presented with the exception of having a landscaping plan compliant with the ECO District Ordinance be submitted to the town.

Vice Chairman Bryan – Second.

Chairman Pack – A motion has been made and properly seconded. Is there any further discussion? Roll call vote.

On call for the vote, six members were present. Vice Chairman Bryan voted aye, Mr. Davidson voted aye, Ms. Hillegass voted aye, Dr. Pope voted aye, Mr. Michael Torrey voted aye, and Chairman Pack voted aye. There were no votes against the motion. The motion passed.

Chairman Pack – Our next item is the Entrance Corridor Overlay District Design Review – 200 Vincents's Crossing – Smithfield Hotel, LLC and Michael Pisa, Alliance Signs of Virginia, LLC, applicants. Could we have a staff report please?

Director of Planning, Engineering and Public Works – We heard this application last month. They brought us some sign renderings as well as architectural accent lighting for the structure. The Planning Commission approved the signs and tabled the application for the architectural accent lighting for more information related to light spillage onto adjacent properties. You wanted more information on how much the frequency was for the LED lighting at the cornice. Mr. Pisa provided several pieces of information related to those things. In the staff report, there are several sections of the Entrance Corridor Design Guidelines as well as the Entrance Corridor Ordinance as they relate to architectural lighting for you to refer to. In some of the attachments, they have some pictures of the cornice on a similar building which is illuminated. The data sheet shows the actual product of the LED lights and how they are in series. There is an email from Mr. Pisa that shows the wattage per unit and the lumens per foot to show exactly how much light they have. One thing, that may not even be possible to do, is a photometric plan of adjacent properties because this is a reflective light rather than direct light. I will let Mr. Pisa speak more on the technical aspects of that. Thank you.

Chairman Pack – Would the applicant like to speak? Please state your name and address for the record.

Mr. Michael Pisa – I am with Alliance Signs of Virginia. This project is the Hampton Inn & Suites. We are looking at doing cornice lighting for them. There are a few pictures in your packets as to what the cornice lighting will look like. I just want to make sure that everybody understands that this is actually an 'up' lighting. It will not be a 'down' light. It does not spread out. In the pictures, if you look at the daytime photo,

the top of the cornice curves at the peak the LED actually sits down in, in the bottom section and shoots up. It is angled in so that it does not portray past that top angle. It just illuminates the outside band. It is not something that is on the top and shooting down. It is literally angled inside of the cornice just up to the peak.

Chairman Pack – Are there any questions for Mr. Pisa?

Mr. Davidson – Does this lighting go all the way around the building?

Mr. Pisa – It does not. I noticed that when the drawings went out it did not show where these are. I have a couple of copies I can pass around.

Director of Planning, Engineering and Public Works – They have the sheets that show the yellow highlighted areas.

Mr. Pisa – In the front, you will see that there are six sections. On the back rear side, there will be three on the peaks. On the left side that faces Food Lion, it will be on those three peaks. The side that runs parallel with Josephine Crossing will have it on the three peaks as well.

Chairman Pack – So, essentially, anything with a peak will have the lighting?

Mr. Pisa – Yes.

Vice Chairman Bryan – The only lettering is on the main sign that is being illuminated. Is that correct?

Mr. Pisa – As far as signage, yes, just the Hampton Inn & Suites.

Vice Chairman Bryan – The rest of the lighting is just to light up the structure itself?

Mr. Pisa – Correct.

Vice Chairman Bryan – I went by there and looked at it that night. It is a little difficult to see from the road. It is not lit very well. I can understand their concern.

Chairman Pack – Mr. Saunders, did we not also have additional signage that was on the building that was lit with the previous application?

Director of Planning, Engineering and Public Works – The signage was approved previously; only the lighting was tabled.

Chairman Pack – Are there any other questions for Mr. Pisa? Hearing none, thank you Mr. Pisa. We went through this at the last meeting and had some questions and concerns. Mr. Pisa is here tonight and has addressed those.

Mr. Davidson – The one thing I remember was regarding the apartments in the rear of the building as far as the lighting interfering with them. Has that been addressed?

Chairman Pack – I think what you are looking for is the down lighting survey.

Mr. Davidson – Since this is up lighting there would not be a down lighting survey. Is that correct?

Director of Planning, Engineering and Public Works – Without it being direct lighting, I do not know that you can even assume what the photometrics would be away from the building. This is just reflecting off the cornice. It is kind of an unknown I would think.

Mr. Pisa – As far as exactly how far it would extend, I could not tell you. I know that standing in the parking lot of others that have been done already it does not even bring light out into the parking lot. With the three sections on the back towards Cattail Lane, I do not see an issue with it. The reflection can only go so far. It barely comes out of the soffit that it will be sitting in.

Dr. Pope – I think it is better to have it at the peaks as opposed to the picture which is continuous. Continuous would be a little monotonous and certainly asking for trouble; but there will only be three peaks illuminated on the rear of the building.

Mr. Pisa – All sides add up to be 429' total.

Dr. Pope – There is probably only about 75' on the back then. I personally do not think it is going to interfere. I would have concerns if it ran the whole length of the building.

Mr. Torrey – Just out of curiosity, how will they be controlled?

Mr. Pisa – We will have them set on a timer.

Mr. Torrey – Will it be all or nothing?

Mr. Pisa – These will be on a timer.

Ms. Hillegass – Will they be on from sundown to sunup?

Mr. Pisa – No, ma'am. They will be on a photocell so that when it gets dark they will come on.

Vice Chairman Bryan – Do you know the lumens?

Director of Planning, Engineering and Public Works – There is a chart in the email. It lists the lumens for this particular application. It is right after the picture of the building. They are eighty-six per foot.

Ms. Hillegass – I move to approve as presented.

Mr. Davidson – Second.

Chairman Pack – A motion has been made and properly seconded. Roll call vote.

On call for the vote, six members were present. Mr. Davidson voted aye, Ms. Hillegass voted aye, Dr. Pope voted aye, Mr. Michael Torrey voted aye, Vice Chairman Bryan voted aye, and Chairman Pack voted aye. There were no votes against the motion. The motion passed.

Chairman Pack – Our next item is an Entrance Corridor Overlay District Design Review – 1613 S. Church St. - Jimmy Auvil, applicant. Could we have a staff report please?

Planning and Zoning Administrator – Thank you, Mr. Chairman and Planning Commission. The applicant, Mr. Jimmy Auvil, has acquired the former police department location and wishes to turn it into office space. ECO design approval is sought for several exterior changes. Firstly, the applicant wishes to replace the existing brown roofing shingles with slate/charcoal architectural asphalt shingles. Additionally, he wishes to replace the existing windows with beige vinyl windows of a 9/9 pattern with beige trim. All other existing trim on the building is to remain white. He also wishes to add a detached multi-tenant sign in the same location as the previous detached sign. Staff has several comments on this application. Firstly, staff notes that the design and materials proposed are in keeping with both the ECO Design Guidelines and the Zoning Ordinance. An additional strength is that the proposed changes will improve the façade of the building bringing it more into conformity with the district. The multi-tenant detached sign will meet the ordinance in regards to size, location, and landscaping. In fact, this sign is the preferred type of sign in this district for multiple tenant buildings. The applicant also proposes to keep the multiple tenant individual small sign panels a consistent font type and color. The applicant also proposes to keep the existing landscaping around the building but does propose to replace the existing mulch with

white rocks and manicure any overgrown vegetation. Staff notes that no weaknesses are identified with this application at this time. Mr. Chairman, this concludes my staff report.

Chairman Pack – Would the applicant like to speak? Please come to the podium and state your name and address for the record.

Mr. Jimmy Auvil, Jr. – I live at 208 Mariner Circle in Smithfield. We acquired the building at 1613 S. Church Street. Basically, we are just giving it a cosmetic upgrade on the outside. The shingles are in need of replacement. We will remove those and replace them with architectural shingles. The Courthouse is kind of the look we are actually going for which is why there is a picture of the Courthouse in there. We are going with the grid style windows. As far as the sign goes, there is a picture in the packet. The sign company proposed this to us. Thank you.

Chairman Pack – Are there any questions for Mr. Auvil? Hearing none, are there any Planning Commission comments?

Vice Chairman Bryan – I have no issues with it. It is an improvement upon an existing structure that is vacant at the moment. This will make it useful.

Mr. Torrey – I have a question. With the sign, is that just a description of the sign or will there actually be space for twelve tenants?

Mr. Auvil – We are keeping the space for that many tenants. We advertise all-inclusive office space. We have the Carrollton Business Center also. We have quite a few tenants there. It is usually small office space that we rent. There will be eighteen offices in that building. Our real estate company will be using the building also.

Mr. Torrey – There is a good size pad for parking in the front. I am sure you will need to do some new lines.

Mr. Auvil – There will be twenty parking spots in the front according to our estimates. The lines do not exist anymore. We will re-paint them. There is still a driveway that goes along the side of that building. There is a parking area there with gravel along the back. It is overgrown now. The town is telling us that we can clean that area up and keep the gravel and use that little area also.

Vice Chairman Bryan – They are changing the use of that building. Would that affect parking requirements?

Town Attorney – They are not changing the use. It has always been an office building.

Mr. Davidson – Mr. Chairman, I would move that we approve this application as proposed.

Vice Chairman Bryan – Second.

Chairman Pack – A motion has been made and properly seconded to approve as presented. Is there any further discussion? Hearing none, roll call vote.

On call for the vote, six members were present. Ms. Hillegass voted aye, Dr. Pope voted aye, Mr. Michael Torrey voted aye, Vice Chairman Bryan voted aye, Mr. Davidson voted aye, and Chairman Pack voted aye. There were no votes against the motion. The motion passed.

Chairman Pack – Our next item this evening is a Discussion Item – Amendments to Article 3.R of the Zoning Ordinance – Entrance Corridor Overlay (ECO) District – Town of Smithfield, applicant. Could we have a staff report please?

Director of Planning, Engineering and Public Works – This is one of the things that we discussed in the work session in August. I had mentioned that we were administratively approving signs in the entrance corridor. When the entire sign plan or whenever there was a sign change at the same time as an exterior change to the building, those always came to the Planning Commission. You all needed to see that the sign design and the building design were congruent with one another. Since John Settle has come on board, we are doing more delving into the ordinance and showing him the way to do things. While doing that, we uncovered the fact that for the entire time I have been at the Town of Smithfield, which will be twelve years in February, the Town Manager had been administratively approving the designs of signs in the ECO District. I do not know how it ever started. It was always done that way; but the actual language states: “all proposed development activities located within the Entrance Corridor Zoning District shall be reviewed and approved by the Planning Commission.” Somehow, along the way, the previous Director and the Town Manager came up with an idea to expedite individual signs without there being changes to the site or a new construction site. It is usually used with a new business that is going into an existing site where they may not be changing anything on the building but they need to put a new sign face on an

existing sign frame. The vast majority have been that. Staff recommends that the Planning Commission consider codifying our policy. This would ensure consistency between the language of the ordinance and our precedent to avoid possibly overwhelming the Planning Commission with an influx of sign applications. We would be able to maintain this permitting avenue that has been cherished and praised by applicants by not having to wait a month for a meeting if they just need to reface an existing sign. It would not be exactly the same. We would recommend that the Planning and Zoning Administrator be the one that would do the administrative review not the Town Manager. We have made several revisions. In the Entrance Corridor Overlay District Ordinance, several items are just housekeeping items. The meat of it is in Section L.2.a. It states: "Applicants for new or replacement signs in the District shall apply to the Zoning Administrator for review at the time of development plan review or as a separate submittal." This language already exists. The new language would be: "The Planning and Zoning Administrator may approve any sign permitted in a residential district and any permitted sign not exceeding 150 square feet in area in a business or industrial district, if, in the opinion of the Planning and Zoning Administrator, such sign will not impair the character of the district." Of course, if he feels that it would impair the character of the district then he would bring this to the Planning Commission for their review. In the case that the Planning and Zoning Administrator would have any question about his ability to review it or have any concerns about it, he may bring that to the Planning Commission at that time. There is just a typo that was fixed in section L.5.a. We also added the Planning and Zoning Administrator to section L.6.a which is the list of those that review entrance corridor signs. All of the other references are just housekeeping items directing you to that one section. The meat of the changes is in L.2.a. It has been done like this for almost twelve years. We have not had a problem with it other than the fact that we were not following the ordinance. Before I got here, Bill Hopkins and Peter Stephenson had worked that process out possibly with a previous Planning Commission. We want to do it the way the ordinance reads. If you want all the signs for approval, which is how the ordinance reads right now, then we will bring them to you. If you all think that this has weight then it is something we recommend that you consider as an alteration to the ordinance.

Chairman Pack – Mr. Riddick, in order to change this ordinance we would need to make a recommendation to Town Council. Is that correct?

Town Attorney – No. We would publish it for a public hearing for the Planning Commission. You would then make a recommendation to the Town Council after the public hearing?

Chairman Pack – If we were to take action on this tonight, it would be to initiate a public hearing.

Town Attorney – You cannot act on it tonight.

Chairman Pack – We would just discuss it and if it sounds good then recommend a public hearing.

Director of Planning, Engineering and Public Works – Or you can recommend any changes and we can make those and then have a public hearing.

Chairman Pack – To summarize, the way the ordinance reads now is that all sign changes would have to come to us. The way you have been doing it for the last twelve years is that they are administratively approved.

Director of Planning, Engineering and Public Works – But if they are doing anything to the building and the sign, then we are still bringing it to the Planning Commission.

Town Attorney – Many years ago, one of the big issues was Advance Auto. There was a question about the colors and that sort of thing. It was clearly a legitimate subject for the Planning Commission to consider and debate. When somebody comes along and just wants to make a minor change, it is appreciated by the business community that they do not have to wait a month for approval.

Director of Planning, Engineering and Public Works – Of course, anything that exceeded the ordinance, in any way, would also continue to come to you all.

Dr. Pope – I have a question about it. Does the “and” in there change the definition versus an “or”? It says: a residential district and a business or industrial district. Does it have to meet both of those criteria for that or can it be an “or” there? To me, it means that it has to meet both of those criteria to give the Planning and Zoning Administrator the ability to change it.

Director of Planning, Engineering and Public Works – Given how it is worded since it lists both scenarios, it would be fine. We can ask the Town Attorney.

Town Attorney – We could change it to “and/or” and that would take care of it.

Director of Planning, Engineering and Public Works – That is what we will do.

Chairman Pack – Since we are making other changes, we should just change that. This seems to be a reasonable process. I think we should proceed with the public hearing. We cannot do anything on it tonight.

Town Attorney – We will put this on the agenda for next month as a public hearing since we have a general consensus on the changes.

Chairman Pack - Our next item is Approval of the October 9th, 2018 Meeting Minutes.

Town Attorney – I recommend the minutes be approved as presented.

Ms. Hillegass – So moved.

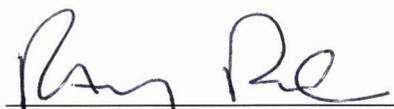
Mr. Davidson – Second.

Chairman Pack – A motion has been made and properly seconded. All those in favor signify by saying aye, opposed say nay.

On call for the vote, six members were present. Vice Chairman Bryan voted aye, Mr. Davidson voted aye, Ms. Hillegass voted aye, Dr. Pope voted aye, Mr. Michael Torrey voted aye, and Chairman Pack voted aye. There were no votes against the motion. The motion passed.

Chairman Pack – Is there anything else to come before the Planning Commission this evening? Hearing none, we are adjourned.

The meeting adjourned at 7:14 p.m.



Mr. Randy Pack
Chairman



Mr. William G. Saunders, IV
Director of Planning, Engineering and
Public Works