

The Smithfield Planning Commission held its regular meeting on Tuesday, June 9th, 2015. The meeting was called to order at 6:30 p.m. Members present were Ms. Julia Hillegass, Vice Chair; Mr. Charles Bryan, Mr. Mike Swecker, Mr. Randy Pack, Dr. Thomas Pope, and Mr. Michael Torrey. Mr. Bill Davidson was absent. The staff members present were Mr. William G. Saunders IV, Planning and Zoning Administrator and Mr. William H. Riddick III, Town Attorney. There were approximately thirty (30) citizens present. The press was represented by Ms. Abby Proch with The Smithfield Times.

Vice Chair Hillegass – I would like to welcome everyone to the June 9th, 2015 Planning Commission meeting. If everyone will stand, we will say the Pledge of Allegiance.

Everyone present stood and recited the Pledge of Allegiance.

Vice Chair Hillegass – The first item on the agenda is the Planning and Zoning Administrator Activity Report.

Planning and Zoning Administrator – Thank you. We currently have Phase 7-B and 7-C of Cypress Creek Subdivision plan under review. We also have the 7-Eleven renovation of the old Southern Foods at 1229 Benns Church Boulevard. That is all I have tonight.

Vice Chair Hillegass – Next we have Upcoming Meetings and Activities. On June 16th at 6:30 p.m. there will be a meeting of the Board of Historic and Architectural Review. The Board of Zoning Appeals meeting for that day has been cancelled. On June 22nd and 23rd at 4:00 p.m. we have the Town Council Committee meetings. Town offices are closed for July 3rd in observance of the Independence Day holiday. The next Town Council meeting will be on July 7th at 7:30 p.m. Our next Planning Commission meeting will be July 14th at 6:30 p.m. Next we will have Public Comments. The public is invited to speak on anything on the agenda that is not part of the public hearing. We do not have a public hearing tonight. There is one person signed-up to speak.

Mr. Gay – My name is Mark Gay. I live at 110 Goose Hill Way. I am an eighteen year resident of Smithfield. I just want to walk us back to where we were the first week of March when we were talking about issues that are forthcoming and the debate we will be having here for the next several sessions. One night Mr. Bryan recommended that

we consider the businesses when planning where things are going and heading. Since that night we have gone out and solicited the opinions of over one hundred and twenty additional residents and business owners of historic Smithfield. This is over and above the residents of Goose Hill who had earlier petitioned the Town Council about rezoning changes. I studied a lot about urban and community planning at an earlier age at the University of Colorado. That is why I have a passion about community planning and the importance of green space and preservation. It is what makes Austin, Texas and Boulder, Colorado unique. It is what makes this community unique which distinct it from Newport News, Yorktown, and other areas of heavy density population. It ascribes to us a quality of life that others seek. I have read the Comprehensive Plan that this commission wrote six years ago in 2009. A Comprehensive Plan sets an azimuth and a compass for a community. It is founded on critical assumptions. It is founded on planning guidance from people who are devoted to the community. In my experience unless there is a critical assumption that has changed then you stay on azimuth. I can tell you today that the green space under consideration serves a very important physical, environmental, social, and economic buffer for this community just as Windsor Castle Park does. We should have learned a lesson about how that was done and what needs to come from that. I ask as we go forward that we think about the fact that we grow upward not necessarily outward. A theme that I have heard on almost every household door that I knocked on the last three months is that more is not better. Better is better.

Vice Chair Hillegass – Is there anyone else who wishes to speak? Hearing none, we will now move to Planning Commission Comments. Does anyone have any comments? Hearing none, we will move to Comprehensive Plan Future Land Use Change and Rezoning Review – Cary & Main (Pierceville) Subdivision – William G. Darden, Hearndon MC Builders, LLC, applicants. Is there anyone here to speak on this application?

Ms. Venable – My name is Melissa Venable. I am the owner of Land Planning Solutions located at 5857 Harborview Boulevard in Suffolk, Virginia. I have been a planner for twenty-two years. My emphasis is in traditional neighborhood design. Many of the projects that I have been involved in are in Northern Virginia, Chesterfield,

Richmond, Carolinas, and during the last twelve years in coastal Virginia. They have all been traditional neighborhood design projects. Two of them which you may be familiar with are an award winning project that I am very proud of called East Beach in Norfolk on the Chesapeake Bay and Pepper Landing in Chesapeake. I have had the great privilege of meeting some of the folks who are here tonight. I look forward to future discussions because I know this will be a process for sure. I also look forward to presenting the application further to you. Tonight I just wanted to give you some comments and address some of the things we have heard. I come to Smithfield very often. My children play soccer at Nike Park. I recently purchased some James Madison University mugs in Smithfield that I have not seen anywhere else for my niece just in the last couple of weeks. I really enjoy Smithfield. I live probably about seven minutes from downtown. It is a dear place to me. When you turn down Main Street from Church Street what you find is the perfect picture of genuine America. There are antique stores, boutiques, the ice cream shop, restaurants, brick sidewalks, gas lights, and benches. You see history. It is breathtaking. It is what America is made of as far as I am concerned. It is what you want to find everywhere. It is not here by accident. On the contrary there are several very specific folks that have invested thousands of dollars to keep Main Street as it is. This is a picture perfect place. A place you only wish you could raise your family. Keep heading west on Main Street towards Route 10 and it is not the same picture. As a matter of fact it is nearly the opposite. There is a closed down grocery store and a parking area that is dilapidated. If you are coming in from the bypass onto Main Street it is the first thing you will see. It is your western gateway. There are older homes some of which are in disrepair. There is a sidewalk that needs a fair amount of attention. This entrance also has some very wonderful things if you look a little closer. There is a historic school house, nearly the oldest home in historic Smithfield, a beautiful Baptist Church, consignment shop that provides many needs to our four legged friends, and homes that are more modestly priced. They are simpler but yet very beautiful because they are homes that our neighbors live in. They take time to restore and refurbish. This end of town simply needs a similar investment than the other has received. I mention this because Pierceville can be viewed two ways. It can be I hate change project or an investment into Main Street's second gateway. Now fast

forward if you will and imagine families like mine. I have three small children. Retirees and other folks who have buying power for homes between \$240,000.00 and over \$300,000.00 who are not mischievous or looters but instead they are homeowners. They are moms and dads with buying power who are looking for the exact same thing that you have found in downtown Smithfield. They are teachers, police officers, firefighters, town and county workers, engineers, people who work at Smithfield Foods. Many of them work here in Isle of Wight and in the town. The one thing we did hear about our children who go off to college and return cannot afford to buy a house in Smithfield. Imagine that your children can come back here to live in Smithfield. The community that we are proposing creates a very large park on Main Street. I think you have seen that in the diagrams. The park has a pond that will help to solve a current drainage problem. There are gathering areas, sidewalks, and bike racks. We are proposing generally what that would look like. There is a commitment to preservation and restoration for the Pierceville manor house. The proposed community also realigns the sharp Grace Street turn. It creates a more appropriate "T" intersection as well as a second entrance into our community to help alleviate a potential conflict. The community is located in the historic district. It will follow the historic and architectural guidelines. Of course the homes will not be historic since we are building them now. They will be built to appeal to today's market. They will also be classic in their design as you will see in the package. All of the homes have been designed by the same proportions and themes of Georgian, Colonial, Craftsman and Victorian style architecture. These homes are built to be environmentally responsible which a demand of today's buyer is believe it or not. Most people are looking for homes that are much more environmentally friendly and energy efficient than previous homes built in the 1980's and earlier. The neighborhood will have a handful of smaller parks and play areas as well as a trail system. It is in proximity to the YMCA, Paul D. Camp Community College, and Riverview Park which seems to be fairly underutilized. It will make this property an ideal community. From Cary Street and Main Street you can walk to the intersection of Main Street and Church Street in less than ten minutes. The back side of the neighborhood falls outside of the historic district yet we will hold the same standards throughout the neighborhood. Some might argue that like Goose Hill these lots should

be larger. We decided to create lots more consistent with the Downtown Neighborhood Residential district on the plan to provide twice as much open space than what is required in the Downtown Neighborhood Residential district. The property is odd in shape and does not lend itself to a perfect grid pattern. There are several very large utility service and power line easements that run through the property. Furthermore street design standards today do not allow for the same ninety degree turns that we were once permitted to do. Therefore the layout is a combination of a grid pattern where it is closest to Main Street and a more traditional design where it is closer to Goose Hill in the back outside of the historic district. Luckily we do not live at a birds eye view. Instead the attention to the homes, streets, and parks will create a very desirable neighborhood. A fairly well known architect that I used to work for always said the devil is in the details. We have to continue to work hard looking at the details such as the sidewalks and street sections within this neighborhood so that it matches and aligns itself with Main Street. We will continue to do that through the engineering and design process if we are allowed to move forward to that point. Overall there is a forty million dollar investment at the end of the day in this project. I hope that eases your mind that we are determined to make this a success and that this will help to sustain the wonderful Town of Smithfield just as it is today.

Mr. Bryan – Are you familiar with Church Square?

Ms. Venable – Yes I am. I am very familiar as a matter of fact. One of the owners of the property came into my office recently to talk about some changes that they are looking to try to do. It is a condominium project.

Mr. Bryan – I think it has some single family homes there as well.

Ms. Venable – I think what they have built at this point is single family in the back section.

Planning and Zoning Administrator – They are all attached. There are some duplexes.

Mr. Bryan – Are you familiar with Lakeview Cove?

Ms. Venable – Yes. They are also all attached product with a condominium association.

Mr. Bryan – What I am getting at is that you are basing this plan on anticipating market. If it does not pan out the way you expect do you have a contingency plan?

Ms. Venable – There is a big difference between the fee simple home ownership that we are proposing and the condominiums that are in those two projects. Condominiums units have a very large additional fee on top of what they are selling. Not only to you have to be approved for your mortgage but you have to be approved for the mortgage as well as the additional fee. In some cases it is between one hundred and three hundred dollars per month additional. So that cost has to be rolled into that mortgage. You have to be approved for both. I am very familiar with both projects. I have been to the meetings for both projects. The units they initially built at Lakeview Cove were very high end three story townhouse units. It is a northern Virginia product. It was not a product that was received well anywhere in Hampton Roads specifically in the town. Church Square has very high price points. They are higher than what you would find in Virginia Beach for attached product. I have looked into both projects recently. I have worked with a Research Data Bank which pulls numbers for the area for sales prices. I do not even want to try to compare this fee simple home ownership type project to those condominium projects. In my opinion, the price points are a bit out of line with what the Hampton Roads market as well as Virginia Beach and Williamsburg can absorb. I do not think there is any fear or concern that these simple homes would be problematic. We have worked on another project for Hearndon MC Builders in Elizabeth City. Their market is not nearly as vibrant as Smithfield. It has been a slow sales pace but they have continued to sell one, two or three houses per month. It has continued to move forward without any problem and that is the anticipation here. We are not looking at a fast sales pace. We are not looking at one hundred units coming online at one time. We are actually looking at five to six years or a bit longer than that through the entire phasing. We are not in a rush to develop this. There is going to be a lot of care and time that is taken in each phase of this project. In one of the other projects there has been a bankruptcy and the other has multiple builders. This is one builder not only developing it but going to build through the entire thing.

Mr. Jones – My name is Robert Jones. I live at 1600 South Church Street. I am the attorney for the developer. We have submitted proposed proffers which should be in

your packet. We have proffered that the amenities are all going to be Phase 1 and tie it to the issuance of Certificates of Occupancy of Phase 1. There will not be houses built without the amenities that Ms. Venable has spoken of. When I say amenities I am not just talking about the amenities for the homeowners but there is the public park and all that is out front on the project. I was not planning on speaking but I am hoping that addresses part of your concern. If this thing gets started and then falls flat and the town is left with a half developed project as opposed to a project where maybe there are some houses or lots that have not been developed but the promised amenities are tied to the very first phase.

Vice Chair Hillegass – Are there any other questions?

Mr. Pack – There is a great amount of concern for the Pierceville manor home. I have heard through rumor that the developer would prefer to give the property to somebody to be developed on their own. What are the plans for the manor home itself and the preservation of it?

Ms. Venable – As Mr. Jones just mentioned our last two proffers speak very clearly to what you are asking. I cannot reiterate exactly what that says but we have proffered that we will have a restoration plan in place on how the property will be handled before we ask for our first Certificate of Occupancy. We have to have an entity and that transfer of property has to happen with a plan in place on how it is restored before you give us our first Certificate of Occupancy to build a home. When we first looked at this we thought there was a person that was very interested in restoring that home. That has fallen a little bit. We are searching for the correct person who has that passion to restore a historic home. They may be right here in Smithfield. We have started that search for the right person so they can come to these public hearings and you can talk to them. I think the worst thing would be for us to stand up here and say that we are historic architects and we are going to be able to restore it. That would not be fair to you. It would not give it the due acknowledgement it needs. Hopefully we will have the exact plan of how it will be restored. We have put it upon ourselves that we will not ask for the first Certificate of Occupancy to build any home until we are all in line as to how that is going to work out. I would like to be able to work a little bit further with the Board of Historic and Architectural Review. We have made some assumptions that the

entire manor itself would want to be preserved but that may not really be what they need or want to happen. We would like to be able to work with everyone to ask how that best happens. Is it just the home? Our initial plan was just the home. It would be a home for sale to be restored. We thought it may be better to save the entire property but now I am hearing a bit of both. We know we can make the plan work either way. We want to know what is best for the town.

Mr. Pack – I appreciate that sentiment. It is probably the proper approach to it. I think one thing that would make me feel better would be if there was a bond put into place to ensure that the property is actually restored. It sounds as if you do not intend to do it yourself. I understand that for all the right reasons. I know that for some of the folks I have spoken to it is a point of contention. They want to make sure that it gets done. If there is a bond in place it would give them that assurance.

Mr. Venable – I understand. We thought the proffer was a good first effort step to do that. I can go back and talk to Mr. Darden about how he would approach that. We will work that out with Mr. Jones. I appreciate that information. I think we all want to see that property restored. It is certainly going to compliment the neighborhood. It would only distract as it is today. I hope you saw right before the rain last week the tarps went up. We know it is not beautiful. We know it is not the perfect way to do it but we wanted to make sure it would not cause any additional problem. We are certainly not considering that as an effort to restore. It is just to stop the dilapidation.

Mr. Pope – I do not think I have the proffer list. I cannot find it in my packet.

Planning and Zoning Administrator – Basically what is before you tonight is a rezoning application. The property is plus or minus fifty-eight acres of the Pierceville farm. If you look at your packet it is titled Cary and Main Exhibit. It will show you the GIS shot of the actual land to be rezoned. It is northeast by the Route 10 Bypass. It is planned to accommodate one hundred and fifty-two single family detached homes. One of which would be the Pierceville manor house. There would be one hundred and fifty-one new construction homes. As far as the Future Land Use Map and the Comprehensive Plan the area that is currently zoned “D” for Downtown near the schoolhouse is plus or minus two acres. They are currently designated very similarly as Downtown Commercial in the Future Land Use Map. The balance of the property which

is the subject of this rezoning application approaching fifty-six acres is currently as a future land use Parks and Recreation. It was Parks and Recreation in the Future Land Use Map from the 2009 Comprehensive Plan. At the time the ballfield complex that seems to not be able to find a home was envisioned there at that time. That is how it ended up as Parks and Recreation at that time. Plus or minus two acres is currently zoned as "D" for Downtown which is a mixed use district. It encompasses most of the commercial Main Street. Plus or minus one acre is zoned "DNR" which is Downtown Neighborhood Residential. It is a few lots that are directly across the street from the YMCA in line with those houses that front Cary Street. The balance of it approaching fifty-five acres is currently zoned "CC" which is Community Conservation. It is the closest thing that the Town of Smithfield has to agricultural. It is a residential district with a minimum lot size of forty thousand square feet which is nearly an acre. It is the closest thing we have to agricultural land use as far as zoning in the town. These one hundred and fifty-one single family lots will be on approximately a minimum six thousand square foot of lot area and a minimum of fifty foot width. That is accommodated by the Downtown Neighborhood Residential zoning district. This is what the rezoning application would rezone this property to. Currently most of the residential districts within the historic district are currently zoned Downtown Neighborhood Residential. In that case it does compensate for up to five homes per acre net developable area. This subdivision would include several ponds for stormwater management. There will be several small parks, walking trails, and sidewalks that would connect to the town's existing sidewalk network. Obviously it is the home to the Pierceville manor house and other relevant historic structures that have fallen into disrepair and been subject to previous actions by local government in order to stop the demolition by neglect. Technically what is before you tonight is a rezoning application but because it is not consistent with the Future Land Use Map and the Comprehensive Plan by default it is also effectively an application to modify the Future Land Use Map in a manner that would accommodate this. What you are looking at is two pronged. When it comes to you for a vote at some point your first vote will be whether you like this project enough to recommend that Town Council amends the Future Land Use Map in the Comprehensive Plan to Suburban Residential. Suburban Residential would

accommodate the Downtown Neighborhood Residential zoning district. If that vote is in the affirmative then your next vote would be if you agree to recommend to Town Council to rezone this property to Downtown Neighborhood Residential. Where we are tonight is a first look at the information and giving the developer the opportunity to speak on it. It gives you an opportunity to discuss, review, and determine if you are ready to take it to a public hearing next month at the Planning Commission meeting. As far as administrative review on this we have sent this packet out to a number of agencies to get feedback. We are hoping to have those comments back to put in with the staff report for next month's meeting. The only thing that needs to be decided tonight is kind of the Planning Commission timeline for this project and if you feel you have enough information to move forward to a public hearing next month.

Mr. Pack – We have to decide if we want to change the Future Land Use Map. If we do not then it is done. If we do then we have to decide if we want to rezone it for Downtown Neighborhood Residential. If we vote for both of those in the affirmative at a public hearing then that still does not approve the project. Is that correct?

Planning and Zoning Administrator – They would both be recommendations to the Town Council to take similar votes. You would be recommending how you would recommend them to proceed in their vote. They do not have to follow your vote. We do not have a separate application for changing the Future Land Use Map. If somebody brings in a rezoning and it is not consistent with it then automatically they are doing that too. At the same meeting we would recommend there would be two separate votes. The first one would be on modifications to the Future Land Use Map and the second one would be on the rezoning. They would both be recommendations to Town Council at that point. If they chose not to change the Future Land Use Map then it is pretty much done. You all would just be making a recommendation.

Mr. Pack – It is on zoning issues not the project itself.

Planning and Zoning Administrator – Basically the reason that you have the information about the project is to give you a warm and fuzzy feeling about how you are going to vote on the rezoning. What you rezone for has to be in substantial conformity to what their conceptual plans are. They have given you proffers. Some of these other things are just conceptual. Most likely the rezoning will be contingent upon meeting

these proffers and being in substantial conformity to the conceptual plans. You do not want to make a decision on rezoning in the dark but obviously you do not want them to have to do a full complete subdivision plan with every single detail on it before you let them know if they are going to get the rezoning. Does that answer your question?

Mr. Pack – No.

Planning and Zoning Administrator – Could you rephrase your question?

Mr. Pack – I get the zoning. I get why we do the zoning and why we would want to rezone it first if we were to move forward with this. If we rezoned it and Town Council agreed to rezone it then the property becomes rezoned. Is there a separate vote at that time afterwards on the merits of the project itself?

Town Attorney – No. The rezoning is the approval of the project.

Mr. Pack – That is what I was trying to figure out.

Town Attorney – You do not even get to the rezoning unless you change the Comprehensive Plan. Whatever happens at this level is nothing but a recommendation. You could recommend approval or denial. It is not likely that you would recommend denial of the plan but approval of the project because that would not make any sense. What happens at this level is a recommendation to the Town Council. They will have to have a public hearing just like you do. Then they will act on the change to the Comprehensive Plan and the Future Land Use Map. If they vote in the affirmative then they will go into great detail on the zoning. What is approved at the zoning level is what is binding for the developer including proffers and all the things referenced in the proffers such as the concept plans. All of that is part of the zoning application. If approved it is binding on the developer. If it is approved at a later date there is going to be approval of all of the details such as plans, specifications, water lines, sewer lines, engineering documents, and subdivision plat. All of that comes well after the rezoning is approved. They do not have to go to the expense of preparing all of those documents if they do not get the rezoning.

Mr. Pack – The second part of that is what our bounds are as a Planning Commission. Can we say that we can rezone it but all houses have to be pink? I know that is farfetched and is not what I am suggesting but what are our bounds? What are we allowed to comment on or not comment on?

Town Attorney – You can make suggestions but it is conditional zoning so they can offer proffers. You cannot tell them what to proffer. There is a dialogue and intelligent developers perceive that in order to get their project approved. They need to make certain concessions and changes in order to satisfy the Planning Commission so that they would make a positive recommendation to the Town Council. You cannot tell them that you do not like their project and you want them to do certain things and if you do not do this then I will not approve your project. That is not legal. If they refuse to change their proffers and things that they do not think they should change then you can either vote for it or vote against it. You cannot tell them that you will not approve it unless you make this change. Mr. Jones, Mr. Saunders, and I were talking earlier about the timeline. Mr. Saunders has sent out different information to different agencies from which we expect comments back. We expect to get them back within the next month but we do not know when we will get them back. We do not know if we will have them back in a timely fashion so that they can be well digested and incorporated into a staff report in time for a public hearing in July. July may be premature for that. Mr. Jones thought August may be more reasonable. It does not make any sense to rush to have a public hearing if you do not have the information that is necessary for staff to make comments for you to consider. The process has to start somewhere. If you want to have a public hearing next month you can. All I am suggesting is that we may not have everything back from all of the agencies.

Vice Chair Hillegass – Which agencies are we expecting to hear from?

Planner and Zoning Administrator – We have sent packets out to the fire department, police department, Isle of Wight schools, Virginia Department of Transportation, Smithfield 2020, and Frasier and Associates which is the consulting firm that did our historic district design guide. It will also go to the Board of Historic and Architectural Review next week for a very similar informational representation of the project to get feedback.

Vice Chair Hillegass – Are there any other questions or discussion?

Dr. Pope – From our previous discussions are we going to develop this property or not. I know we cannot stop the developer because they have the right to buy it and present their rezoning application. From what I am hearing from the Goose Hill Creek

residents is that they want to leave it as a green space. That is their opinion. Are we going to develop this property or not? That is the real issue. It is what they are trying to decide which is how much fishing bait are they going to offer us and how much are we going to take. I am hearing from a lot of residents of the town that they do not want a development there. I guess our first decision is trying to decide before even looking at all of the conceptual plans if we are going to develop this or not. I understand that they have the legal right to buy it and present the information but I do not know if we have even decided if this will be developed or not.

Town Attorney – You can make up your mind if you want to but it is not legally responsible to make a decision without considering the information that is presented. People have the legal right to make an application for a change in the Comprehensive Plan and a rezoning. You have an obligation to listen to what they say. At the conclusion of that if you are persuaded that it should not be developed then you would make an appropriate vote. If you are persuaded that it is as the result of the process something that you support you can vote accordingly. I do not think it is responsible to say that you are not going to vote for that.

Dr. Pope – I am not saying if I am for or against it but how do we have that information. If we are not ready to look at this then I do not think we have enough information in front of us despite what they are saying. This is their conceptual plan. Are we here to debate this tonight?

Town Attorney – No.

Dr. Pope – I am trying to figure out what we are going to do with this. Most of this land falls within the historic district which means they are smaller lot sizes which goes completely against what Goose Hill Creek residents are looking for. If anything is going to be developed they want larger lot sizes and larger homes. The question is which way this land is going to go. I do not know what everybody's vision is. Then you can make a more intelligent decision about what they are proposing and what design concepts they offer. How many lots are they going to put on a piece of property? That is what I am hung up on. It is not so much the details of where the streets and green space will be. It is what the vision for the property is. I think that is what the town's vision is. I cannot wrap my mind around this to say I am in agreement with whatever we have to look at

with going through designs and architectural styles and figure out what is happening. I guess I am confused in this process by being a new member on the committee.

Town Attorney – That is the whole Comprehensive Plan amendment part of this process. It is the big picture decision. Do you think that this property should be developed in accordance with generally what they are proposing? If you do then you vote yes to change the map. If you do not then you vote no but that is the big decision for you. The more detailed decision has to do with the rezoning. You do not get to that until you make the decision on the change of the map. They are asking that it be done one behind the other at the same meeting because what they are trying to do is give you as much detail as they possibly can to help you understand their vision for the property. Hopefully that would help you make a decision one way or the other. Very often developers will say they want to develop a property and they want you to change the map. They do not give you nearly the level of detail that you have here. In most instances Planning Commissions will not have enough information to make the decision. I think what they are trying to do is provide you with a level of detail that gives you some idea as to what their proposal for development is so that you can make an intelligent decision about whether or not to change the map. That is your first decision. You can make the decision to defer on the rezoning and send the map to the Town Council to let them make that decision. It is all going to play out as a process. You have to listen to the public comments. There may be opposition to it. There may be some support for it. You do not know yet. You know there is opposition but do you know if there is support or not because tonight is not a public hearing.

Dr. Pope – I guess if we recommend to the Town Council to change the map then we are basically saying to develop it. It is the first step.

Town Attorney – You are saying that it is an appropriate place for development to occur. You may then conclude that what they are proposing is not suitable. Just because you change the map does not mean you have to approve the zoning.

Planning and Zoning Administrator – The vision of the town in 2009 was Community Conservation and Parks and Recreation for the bulk of that property because they envisioned a ball complex there. It was Downtown Commercial across the front of Main Street just as the Main Street commercial district is. A small portion of lots

directly across from the YMCA were envisioned as Downtown Neighborhood Residential district just like the small homes on Cary Street currently are. It was the town's vision in 2009. Things are different now. So the question is that if the ball complex is not going there then what is the vision now? The developer has seen an opportunity here. One other part of the vision of the town was that the Pierceville manor house not to continue to degrade and stop the demolition by neglect. I think one of the reasons that the developer saw an opportunity is because the Town of Smithfield wants the manor home saved. I guess he figures he can make some profit on the development. He may be able to use some of that to save the house. It helps everybody. You will hear from Virginia Department of Transportation on what traffic impacts are from a development like this. You will hear from Isle of Wight County schools about impacts on the local schools to have one hundred and fifty new houses in town. You will hear from Smithfield 2020 with information about how the local businesses downtown feel about it. I think they also have a representative on their board from Historic Smithfield. You will receive some feedback from that angle through them. You will hear from our consultants that created our historic district design guidelines on how attention to details on each home will affect it. About two thirds of this property is in the historic district there will be an impact so you will receive information about that. You will receive information back from the fire department, police department, and the Board of Historic and Architectural board about what issues they might have. You will also hear from the citizens. We have already gotten it from the applicants. Until we get all of the information from all of those folks to compile and digest it we really cannot answer those questions right now. We are trying to get as much information as we can at this preliminary stage short of having the applicant draw up a fully detailed subdivision plan. It is really not feasible at this stage.

Dr. Pope – But if all of those people are not here to give us that information then how can we make a decision on it? I cannot make a decision on information that I do not have.

Planning and Zoning Administrator – You are not making that decision tonight.

Vice Chair Hillegass – We do not have to make that decision tonight.

Dr. Pope – I thought we had to make a recommendation to the Town Council.

Planning and Zoning Administrator – No. Tonight is just a review and a primary discussion on this. It gives the applicant an opportunity to present it to you and the folks who wanted to attend tonight. The only decision that you need to make tonight is on a timeline. Do you want to have the public hearing in July or August to get feedback from the citizens? Hopefully as the Town Attorney mentioned we may not have comments back from these outside agencies in time to put the July packet together. It may be beneficial to wait until the August meeting. When I put together the packet for that meeting it should have all of the comments back from all of these outside agencies provided before the public hearing. At the public hearing you will hear the citizen's comments. At the end of the public hearing you should have feedback from the outside agencies on how to make the decisions on this going forward.

Mr. Bryan – At the same time when you do that you also provide a staff report. The staff report would compile all of that information.

Planning and Zoning Administrator – Yes. In the meantime we will give the applicant administrative feedback on their proffers and where they stand once we have gotten feedback from the outside agencies. I will put together a staff report to show the strengths and weaknesses. It will also show the way staff looks at this project up to that point based on all of the feedback and what we have been able to determine administratively about this project and how it will impact the Town of Smithfield and the historic district. Staff will include any documents that have been submitted that have been made part of the public record such as petitions or anything else that citizens or public groups want to make a part of the process. It will become part of the information that you use to determine which way to go.

Vice Chair Hillegass – Since it is currently zoned Community Conservation could we also get some information on the town's capacity to manage it if it were to stay a green space? I am not sure we have that capacity. It is something people seem to want. I think a lot of people want to see this stay as green space but I do not know if we have the resources to manage it as a park.

Town Attorney – It would not have to be a park. It could stay as farmland.

Planning and Zoning Administrator – I can tell you that Windsor Castle Park has been quite a maintenance challenge for the Town of Smithfield even though we did not

have to pay for it or build it. It is quite a challenge for such a small town and such a small staff to maintain it. It could stay green space and agricultural because of the fact that we have a regional size park in a town of eight thousand people. I do not know if the town is looking for anymore park space on that scale within the historic district at this time.

Mr. Swecker – With all that we have coming in from all the reports that are pending could we have a work session prior to our August meeting so that we all understand the impact from each agency.

Town Attorney – At your July meeting you would probably want to decide if and when you are going to do that.

Mr. Torrey – We can see how much feedback comes back by the July meeting. We have said multiple times that this is the last sizable developable piece of property in town. I am in no rush to make a decision or even change the plan to allow that many homes to be built there. We need to get all of the information to talk about it I think.

Planning and Zoning Administrator – Do you all envision a work session before the public hearing or following the public hearing so the citizens have an opportunity to chime in on the property?

Town Attorney – Typically what has been done in the past with applications that I have been involved in is that you would have a public hearing then have a work session. You can take into consideration all of the issues that have been raised by the public and then you can talk about them. A work session is open to the public. It is a chance for you as a body to sit around to talk about in detail matters pertaining to the application.

Planning and Zoning Administrator – I would recommend that the decision be made on the night of the meeting that you have the public hearing. Once you have an opportunity to get all the feedback from the agencies and the citizens then you can decide if a work session is necessary at that time or not before you make a decision.

Town Attorney – It is not out of the question but it is pretty unusual to see a decision being made on the same night as a public hearing. It does not normally happen. It could if you are just completely overwhelmed one way or the other by what you have heard you can vote yes or no but that is not typical.

Planning and Zoning Administrator – I would recommend a motion to determine at what meeting you want to have the public hearing.

Dr. Pope – How will the public get the information from the outside agencies like the fire department, schools, and Smithfield 2020? They are probably going to want to review that information to debate it within the meeting. Do they just have a public hearing and then we just filter all that information into our committee? How does that work?

Planning and Zoning Administrator – I put most of the information in your packet and on the website as part of the application because people requested digital access to more of these documents. What I can try to do while preparing for that meeting is to try to get most of the application packet online. Similar to what I did this time.

Dr. Pope – As I said earlier I am very interested in what the public perceives this land to be used as. I am interested in listening to their opinion up front as we move through the project. My suggestion would be the July meeting for the public hearing comments. They can comment about their vision for the fifty-eight acres. Then we will figure out how the other information comes to us. That is my opinion.

Planning and Zoning Administrator – If you want the public to have an opportunity to see the outside comments it is probably best to have it in August. We do not know when we will get them. We do not know that we will have it all back in time for the July meeting.

Dr. Pope – That is fine.

Mr. Pack – Can we wait until July to see if it is even appropriate to have it in August? We do not want to have a public hearing in August if we do not have all of the information.

Town Attorney – Sure you can.

Planning and Zoning Administrator – Do you mean wait until after August?

Mr. Pack – I mean wait until our next meeting to decide if we will have the public hearing in August. It makes more sense to me.

Planning and Zoning Administrator – We can do that. Do we need to put something on the record for it tonight?

Town Attorney – No. There is no action tonight. It is just an informational item.

The application is deemed complete. I need to look up the deadlines on it.

Planning and Zoning Administrator – I have to give them administrative response probably within thirty days of being approved.

Town Attorney – I would recommend that we tentatively schedule the public hearing for August. In July if there is an issue that makes that unworkable then we will reschedule. We do not have to publish it until after the July meeting of the Planning Commission. We have plenty of time. Since the application is already in I think you need to schedule a public hearing.

Mr. Torrey – I would like to make a motion to schedule the public hearing for the August Planning Commission meeting.

Mr. Pack – Second.

Vice Chair Hillegass – A motion has been made and properly seconded. All those in favor say aye, opposed say nay.

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

Vice Chair Hillegass – The public hearing is tentatively scheduled for August for anyone who would like to come back. The last item on the agenda is Approval of the May 12th, 2015 Meeting Minutes.

Town Attorney – Madam Chair and members of the Planning Commission, I made one minor revision and would recommend the minutes be approved as presented.

Mr. Pack – So moved.

Mr. Swecker – Second.

Vice Chair Hillegass – A motion has been made and properly seconded. All those in favor say aye, opposed say nay.

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

Vice Chair Hillegass – Is there anything else? We are adjourned. Thank you.

The meeting adjourned at 7:29 p.m.



Julie Hillegass
Vice Chair



William G. Saunders, IV
Planning and Zoning Administrator

