



TOWN OF SMITHFIELD

"The Ham Capital of the World"

December 7, 2016

TO: PLANNING COMMISSION

FROM: WILLIAM G. SAUNDERS, IV, AICP, CZA
PLANNING AND ZONING ADMINISTRATOR

RE: PLANNING COMMISSION MEETING

The Planning Commission will hold its regular meeting Tuesday, December 13th, 2016 at 6:30 PM in Conference Rooms A & B in the Smithfield Center.

Please call me at (757) 365-4266 or email me at wsaunders@smithfieldva.gov with any questions.

Enclosures

cc: Town Council
William H. Riddick, III, Town Attorney
The Smithfield Times
The Daily Press
File

DEPT. OF PLANNING, ENGINEERING, AND PUBLIC WORKS

310 Institute Street, P.O. Box 246 • Smithfield, VA 23431 • (757) 365-4200 • Fax (757) 357-9933
www.smithfieldva.gov • Local Cable Channel 6

**SMITHFIELD PLANNING COMMISSION
MEETING AGENDA**

December 13, 2016

1) Planning and Zoning Administrator Activity Report

- Smithfield Foods Parking Lot Expansion
- Joseph W. Luter, Jr. Sports Complex

2) Upcoming Meetings and Activities

December 19th - 4:00 p.m. -- Town Council Committee Meetings
December 20th - 4:00 p.m. -- Town Council Committee Meetings
December 20th - 6:30 p.m. -- Board of Historic & Architectural Review
December 20th - 7:30 p.m. -- Board of Zoning Appeals
December 23th & 26th - Town offices will be closed in observance of Christmas
January 2nd - Town offices will be closed in observance of New Year's Day
January 3rd - 7:30 p.m. -- Town Council Meeting
January 10th - 6:30 p.m. -- Planning Commission Meeting

3) Public Comments

The public is invited to speak to Planning Commission on any matters, except scheduled public hearing(s). Please use the sign-up sheet. Comments are limited to five (5) minutes per person. Any required response(s) from the Town will be provided in writing following the meeting.

4) Planning Commission Comments

5) Entrance Corridor Overlay (EC-O) District Design Review – 1400 South Church

Street – Erica Pierce, BluFlame Enterprise, LLC, applicants. (Staff report, site photos and front elevation enclosed.)

6) Zoning Ordinance Amendment Review – Article 3.G, Residential / Office (R-O)

Zoning District – Town of Smithfield, applicant. (Staff report and draft ordinance enclosed.)

7) Approval of the November 8, 2016 meeting minutes (Enclosed)

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NOTICE OF INTENT TO COMPLY WITH THE AMERICANS WITH DISABILITIES ACT.
Reasonable efforts will be made to provide assistance or special arrangements to qualified individuals with disabilities in order to participate in or attend Planning Commission Meetings. ADA compliant hearing devices are available for use upon request. Please call (757) 365-4200 at least 24 hours prior to the meeting date so that proper arrangements may be made.
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**STAFF REPORT TO THE
PLANNING COMMISSION**

December 13, 2016

ENTRANCE CORRIDOR OVERLAY DISTRICT DESIGN REVIEW

| | |
|---|--|
| Applicant Name & Address | Erica Pierce BluFlame Enterprise, LLC 3806 Chesapeake Avenue Hampton, VA 23669 |
| Current Property Owner | Bernard Bishop 18 Harpersville Road, Apt. K Newport News, VA 23601 |
| Property Location & Description | 1400 South Church Street Immediately southwest of the intersection of Mercer Street & South Church Street |
| Statistical Data (See Conceptual Plan) | |
| Current Zoning | Highway Retail Commercial (HR-C) |
| Total Acreage | 0.4511 acres (Parcel area) |
| Tax Map No. | 21A-30-005 |
| Existing Use | Eating establishment |
| Proposed Use | Eating establishment (Take-out only) |
| Surrounding Land Uses/Zoning | Highway Retail Commercial (HR-C); Residential/ Office (R-O); Attached Residential (A-R) |
| Comprehensive Plan Designation | Adopted future land use plan map designates the land for Retail / Commercial. The proposed use is compatible with the future land use plan map. |

Project Overview

The applicant proposes to renovate the exterior of the old Tastee Freez building to include the addition of a gable roof on the main portion. She proposes the following on the exterior:

Siding – Wood clapboard, white in color

Kneewall – Stone veneer, mixed shades of brown in color

Roof – Architectural shingles, black or gray in color

Trim – Wood, white in color

Doors – Metal, brown or white in color (Whichever works best with the stone veneer)

Windows – vinyl, white in color

Staff Comments

Strengths:

1. Proposed building's materials and colors are consistent with the EC-O Guidelines.
2. Proposed use is consistent with the zoning ordinance.

Weaknesses:

1. None identified at this time.

Please contact William Saunders at 365-4266 or wsaunders@smithfieldva.gov with questions.

Google Maps 1402 US-258 BUS



Smithfield, Virginia
Street View - Jun 2016

Image capture: Jun 2016 © 2016 Google

Google Maps 1326 S Church St



Smithfield, Virginia
Street View - Jun 2016

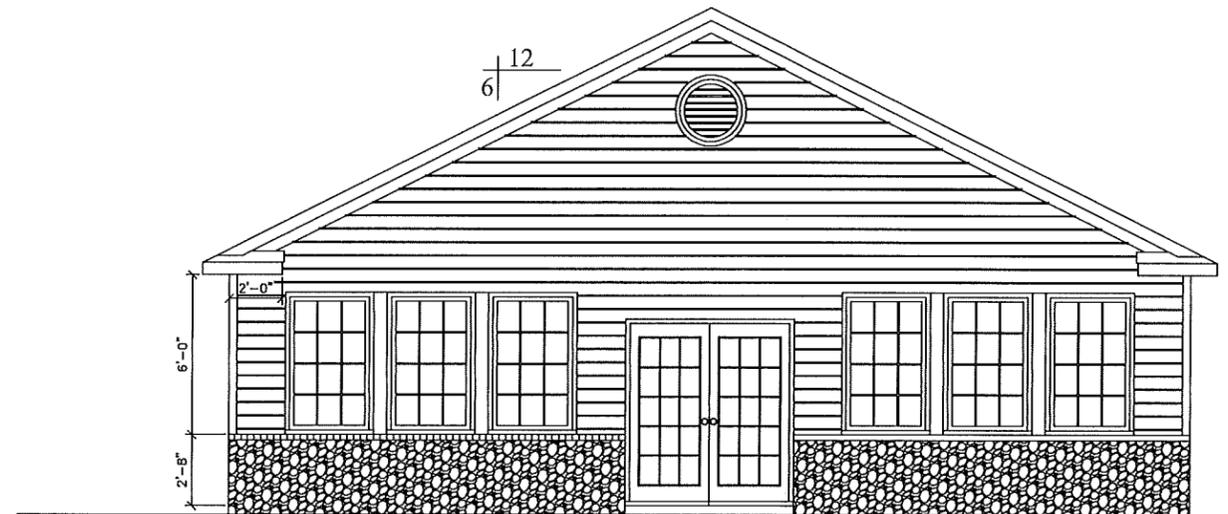
Image capture: Jun 2016 © 2016 Google

RJR DESIGN
AND CAD
SERVICES

RJ ROFFINOLI, AIBD
105 THE MAINE
WILLIAMSBURG, VA.
(757) 229-8233

DATE: 12/04/16

TYPICAL BUILDING
FRONT ELEVATION



PROPOSED FRONT ELEV
MR & MRS
1400 SOUTH CHURCH ST.
SMITHFIELD, VA

REVISIONS

| # | DATE | DESCRIPTION |
|---|-------|----------------|
| 1 | 12/04 | TRIPLE WINDOWS |
| | | |
| | | |
| | | |
| | | |

SCALE: 1/4" = 1'-0"

SHEET #
A9.0

**STAFF REPORT TO THE
PLANNING COMMISSION**

ZONING ORDINANCE REVIEW

Article 3.G: R-O, Residential / Office District Ordinance

December 13, 2016

In 1998, the Residential /Office (R-O) Zoning District Ordinance was adopted in order to provide a vehicle by which limited commercial uses could enter into areas that were expected to become more intensive commercial or industrial areas in the future, but where residential uses were still common. This ordinance has worked well in this fashion, predominantly on parts of the South Church Street corridor, for many years. However, these prohibitions have been a hindrance of late to potential businesses that could have occupied the corridor; further, the restrictions on retail sales are arguably unreasonably limited in scope, as they only allow for *“interior display and sales of high technology, scientific, electronic and medical equipment of a type not customarily retailed to the general public, provided that there shall be no exterior or store-front displays.”*

Due to this, staff recommends Planning Commission consideration of an ordinance amendment that would eliminate the restrictions regarding the types of products that are sold as retail; however, would leave the restrictions related to the exterior displays, in regard to the remaining residential uses in this transitional district. Retail sales would also remain as a Special Use Permit item, so the Planning Commission and the Town Council would still have the ability to review proposals on a case-by-case basis and apply any conditions on the proposed uses that seem warranted in the interest of the adjacent properties and the district as a whole.

Staff Comments

Strengths:

1. Amendments would open up existing commercial areas to new commercial opportunities.
2. Amendments would still minimize the impact to the transitional district through limitations.

Weaknesses:

1. None identified at this time.

Contact William Saunders at 365-4266 or wsaunders@smithfieldva.gov with any questions.

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Article 3.G:
R-O, Residential Office District

Article 3.G:

**R-O, Residential Office
(Transitional Residential/Office District)**

A. Purpose and Intent:

The R-O, Residential Office District is established to provide for the location of office, studio, and conditional retail uses in a low intensity development patterns. The district is intended to provide opportunities for ~~non-retail~~ commercial offices, studio, and limited retail within areas of the Town which are in transition from stable residential neighborhoods to more intensive, non-residential uses. The district is established for the purposes of selectively providing for well-planned non-residential land uses to be located between older residential neighborhoods and existing higher intensity non-residential areas, such as corridor commercial, shopping center commercial, downtown commercial and industrial areas.

The R-O District is to be applied where offices or financial institutions are the principal uses on a lot. This would include locations in both newly developing areas and redeveloping older areas of the Town which are subject to the pressures of adaptive reuse of existing structures but where lot sizes are questionable for non-residential uses with on-site parking. As specifically related to new development patterns in the Town, the district is to be used to implement planned professional and health care-related office parks and integrated development complexes.

Minimum site improvements shall include adequate on-site parking, public water and sewer service, public streets, storm drainage, stormwater management facilities and sidewalks.

B. Permitted Uses:

1. Medical and dental offices, inclusive of outpatient facilities.
2. Banks and financial institutions without drive-thru facilities, excluding payday lending and check-cashing establishments.
3. General and professional offices.
4. Churches and places of worship.
5. Child day care and adult day care facilities.
6. Single family residential dwellings, provided that (a) said residential dwellings shall conform in all respects to the S-R District and (b) there shall be no more than one single-family dwelling per lot.
7. Studios for an artist, designer, writer, photographer, sculptor or musician.

8. Accessory uses, to include tool sheds, detached garages and carports, children's playhouses, doghouses and accessory off-street parking and loading spaces.
9. Irrigation wells.

C. Uses Permitted by Special Use Permit:

1. ~~Offices with~~ retail sales, ~~limited to interior display and sales of high technology, scientific, electronic and medical equipment of a type not customarily retailed to the general public,~~ provided that there shall be no exterior or store-front displays.
2. Drive-in banks.
3. Residential apartments, as an ancillary use within a commercial structure and limited to one dwelling unit per structure.
4. Bed and breakfast lodgings.
5. Medical care facilities, inclusive of inpatient facilities.
6. Funeral homes.
7. Parking lots (private or public, off-street as a principal use).
8. Public schools, colleges and universities.
9. Private schools, colleges and universities.
10. Any use incorporating a drive-thru facility.
11. Permitted and special permit uses on private water and sewer systems.
12. Foster homes, family care residences, and group homes serving mentally retarded and developmentally disabled persons.
13. Accessory apartments.
14. Personal service establishments.
15. Home occupations.
16. Payday lending establishments, check-cashing establishments and pawn shops.
17. Waiver of maximum building height.
18. Waiver of lot size requirements.
19. Temporary real estate marketing offices for new subdivisions.
20. Waiver of Parking and Loading Requirements
(Ord. of 9-5-2000, 9-2-2008, 4-5-2011)

D. Maximum Density:

1. Non-residential uses and accessory residential uses shall be regulated by floor area ratio. A maximum floor area ratio equal to 0.25 shall apply to non-residential uses and structures.
2. Residential dwellings: Subject to S-R District regulations.

E. Lot Size Requirements:

1. Minimum district size: Not regulated.
2. Minimum lot area:
 - A. Conventional lot: 15,000 square feet
3. Minimum lot width:
 - A. Conventional lot, with public water and sewer:
 - (1) Interior lot: 100 feet
 - (2) Corner lot: 125 feet
4. Minimum lot depth:
 - A. Conventional lot, with public water and sewer: 125 feet

F. Bulk Regulations:

1. Height:
 - A. Building height: 35 feet
 - B. Public or semi-public building: 45 feet,
provided that required front, rear and side yards shall be
increased by 1 foot for each foot of height over thirty-five feet.
 - C. Cupolas, spires and steeples: 90 feet,
by special permit.
 - D. Accessory buildings: 16 feet,
provided that accessory building heights may be increased to
twenty-four (24) feet in accordance with Article 2, Section P of
the Zoning Ordinance.
2. Minimum yard requirements:

A. Conventional lot, with public water and sewer:

- (1) Front yard: 35 feet,
- (2) Side yard: 15 feet
except where the lot adjoins an existing residential district,
and then the side yard must then be at least 20 feet
- (3) Rear yard: 35 feet
5 feet (accessory uses)

B. Maximum lot coverage for non-residential uses:

The maximum percentage of lot coverage for a non-residential use shall not exceed twenty (20) percent. The location of all such uses shall be subject to site plan approval.

(Ord. of 5-4-2004)

G. Landscaping, Open Space and Recreation Areas:

- 1. Twenty percent (20%) of the gross lot area shall be landscaped open space.
- 2. Open space and recreation area regulations for residential uses in the R-O District, if and when required, shall be governed by those specified in the S-R District.

H. Net Developable Area Calculation:

- 1. Notwithstanding governing lot size and yard regulations, the maximum use intensity for any subdivision lot or non-residential lot shall be calculated based on existing land conditions. The development yield (in terms of allowable lots or floor area) shall be based on its net developable area, with adjustment factors for physical land units as specified in the chart in the following section.
- 2. The subdivision plat and/or site plan for a project shall graphically depict the location and area for the physical land units as outlined herein below. A calculation of the net developable area shall be required for all subdivision and site plan submissions. (*Refer*

to illustrative example of net developable area calculation in the appendix of the Zoning Ordinance.)

| Physical Land Unit | Percent Credited Toward Net Acreage |
|---|--|
| <i>Slopes less than 10%:</i> | 100% |
| <i>Slopes from 10% but less than 20%:</i> | 75% |
| <i>Slopes from 20% but less than 30%:</i> | 50% |
| <i>Slopes 30% or more:</i> | 10% |
| <i>Soils with high shrink/swell characteristics, as defined:</i> | 75% |
| <i>Wetlands, existing water features and streams:</i> | 0% |
| <i>Stormwater management basins and structures:</i> | 0% |
| <i>Above-ground 69 KV or greater transmission lines:</i> | 0% |
| <i>Public right-of-way</i> | 0% |
| <i>Private streets, travelways and combined travelways and parking bays</i> | 0% |

3. No credit towards net developable area shall be given for planned public rights-of-way, private streets, travelways and combined travelways and parking bays within a lot or property to be developed or subdivided. Twenty percent (20%) shall be subtracted from the calculated net developable acreage to allow for street rights of way, unless it can be demonstrated by survey calculations to the satisfaction of the Planning Commission that proposed street rights of way, private streets, travelways and combined travelways and parking bays in a subdivision will be less than 20% percent of the calculated net acreage.
4. No R-O District lot shall be designed or employed for use in which an area more than 25% of the prescribed minimum lot area is comprised of one or more of the following physical land units: (a) slopes 30% or more, (b) wetlands, (c) 100-year floodplains, and (d) water features.
(Ord. of 8-1-2001)

I. Additional Regulations:

1. Refer to the Floodplain Zoning Overlay District, where applicable.
2. Refer to the Chesapeake Bay Preservation Area Overlay District.

3. All business services and storage shall be conducted within the principal structure which is to be completely enclosed.
4. Refer to Landscaping and Screening, Article 9, for screening and buffer yard provisions.
5. Refer to Parking and Loading Requirements, Article 8, for parking regulations:
 - a. Parking for non-residential uses shall be governed by the parking and loading requirements for that use.
 - b. Parking for a non-residential use shall not be permitted within the front yards of any lot.
 - c. No parking shall be permitted within a yard setback line.
 - d. Recreational vehicle parking shall not be permitted within front yard and the area of the side yard setbacks.
6. Refer to Sign Regulations, Article 10, for signage provisions.
7. Any subdivision or lot which is proposed to be developed on shrink/swell soils shall require a geotechnical report to be submitted with the preliminary plat and plans. Such report shall be prepared by a registered professional engineer and shall address the feasibility of development on the subject soils. No subdivision plat or site plan shall be approved for final recordation until a foundation engineering report has been reviewed by the Town. All recorded plats for lots containing shrink/swell soils shall bear the following note: *"This lot contains shrink/swell soils which require special engineering design for foundations and structural elements. No structure will be approved for issuance of a building permit until a foundation engineering design prepared by a certified professional engineer has been approved for the proposed structure."*
8. Refer to the Town's Design and Construction Standards Manual for additional regulations.
9. All uses within the R-O District shall require a General Development Plan and/or site plan for zoning and/or special permit approval.
10. All refuse shall be contained in completely enclosed facilities. Refuse containers and refuse storage shall be located in a paved area and screened from public view by means of fences, wall or landscaping.

(Ord. of 10-3-2000)

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