

The Smithfield Planning Commission held its regular meeting on Tuesday, April 12th, 2016. The meeting was called to order at 6:30 p.m. Members present were Mr. Charles Bryan, Vice Chairman; Ms. Julia Hillegass, Mr. Randy Pack, Mr. Mike Swecker, Dr. Thomas Pope, and Mr. Michael Torrey. Mr. Bill Davidson, Chairman, was absent. The staff members present were Mr. William H. Riddick III, Town Attorney and Mr. William G. Saunders IV, Planning and Zoning Administrator. There were three (3) citizens present. The media was not represented.

Vice Chairman Bryan – I would like to welcome everyone to the Town of Smithfield's Planning Commission meeting of April 12th, 2016. If everyone will please stand, we will say the Pledge of Allegiance.

Everyone present stood and recited the Pledge of Allegiance.

Vice Chairman Bryan - As most of you know, Chairman Davidson had a medical procedure which is why he is not here tonight. We wish him God speed with his recovery. The first item on the agenda tonight is the Planning and Zoning Administrator's Activity Report.

Planning and Zoning Administrator – Thank you, Vice Chairman. I just have one item to give you a heads up on. The Clontz Park Public Boat Ramp facility came before you last month for a public hearing for a parking waiver. It went to Town Council last week and was approved. The special use permit was granted. We will be able to take advantage of the parking waiver in constructing that facility. Thank you.

Vice Chairman Bryan – Our next item is Upcoming Meetings and Activities. On April 19th, we will have the Board of Historic and Architectural Review meeting at 6:30 p.m. The Board of Zoning Appeals meeting for April 19th has been cancelled. On April 25th and 26th at 4:00 p.m., we will have the Town Council Committee meetings. The next Town Council meeting is on May 3rd at 7:30 p.m. On May 10th at 6:30 p.m., we will have our next Planning Commission meeting. Next we have Public Comments. The public is invited to speak to the Planning Commission on any matters except scheduled public hearings. Has anyone signed up for public comments?

Planning and Zoning Administrator – We do not have any sign ups, Mr. Vice Chairman.

Vice Chairman Bryan - Does anyone wish to speak that did not sign up? Hearing none, public comments are closed. Next we have Planning Commission Comments. Does any member have any comments? Hearing none, we will move to Public Hearing: Special Use Permit – Indoor Commercial Recreation Facility – 13490 Bennis Church Boulevard – Rev. George Boomer, Robert W. Neal for Hope Presbyterian Church, applicants. Could we have a staff report please?

Planning and Zoning Administrator – As you said, this is a special use permit application. It is a public hearing. The Hope Presbyterian Church is now the owner of 13490 Bennis Church Boulevard which was the old Hearn Furniture building. They would like to work alongside the Hampton Roads Pro Am Youth Basketball League in providing a basketball facility in part of their warehouse space in the rear of the building. This facility would be considered a commercial recreation facility; therefore, it requires a special use permit in the Highway Retail Commercial district. The applicants propose to lease out approximately thirty three thousand square feet of their facility for this use which would require fifty parking spaces to accommodate that use. Town staff has one recommended condition on this item. It is that recreational activities not be held concurrently with church activities. That way the two uses can take advantage of the available seventy two spaces of parking independently of one another. It would actually exceed the available parking if they were undertaken simultaneously. The strengths of this application would be that it would provide a new type of recreational facility in the Town of Smithfield. It would also generate property tax revenue for the commercial recreation part. There were no weaknesses identified at this time. Thank you.

Vice Chairman Bryan – Are there any questions or comments at this time?

Mr. Swecker – Are they required to have bathroom or shower facilities if they play sports?

Planning and Zoning Administrator – That would be a question for Isle of Wight County Building Codes and Inspections. It would not be under the purview of the town. We are only dealing with the use and the site.

Mr. Swecker – I think it is great. We now have the softball field happening too. It is great for the kids.

Vice Chairman Bryan – Are there any other comments? Hearing none, would the applicant like to comment?

Rev. George Boomer – I am the Pastor of Hope Presbyterian Church. I live at 1100 Gatling Pointe Parkway. We purchased the Hearn building. We have an opportunity to partner with the Hampton Roads Pro Am group. They want to put up to three basketball courts in there. We just think it is a good opportunity for the community. It is a good opportunity for the church. It is a good opportunity all the way around. We are excited about it. We really want to be open handed with the facility in terms of its use in the community. I will entertain any questions you have regarding that. We are not sure yet if we will rent out all thirty-three thousand square feet. I included all of the warehouse space on the application. It will come down to what the two individuals come up with in terms of how fast they can renovate the entire thing or how they work out the details. If we get approval, they will go to the county offices to meet those requirements.

Mr. Pack – Will there be any other use besides basketball?

Rev. Boomer – The application is for indoor recreation. We have talked about having volleyball. AAU does volleyball as well as basketball. They might end up putting up a couple of batting cages in there or something like that. I know there will be batting cages at the new ballfield. You can do all kinds of things on a basketball court. I anticipate us being able to utilize it for youth group activities and those sorts of things.

Mr. Torrey – Are they already in this area? Do they use the high school gyms to do that now or are they completely new?

Rev. Boomer – That is a good question. It is hard to get into the high schools to use their facility. We were approached by Lamont Strothers who is the coach at Nansemond Suffolk Academy. He played at CNU and with the Portland Trail Blazers and a couple of other places. He explained that they just do not have enough courts for these teams. They have an agreement with James City County to develop, I think, a ten to fifteen million dollar basketball facility there. They are six or seven years from being able to do that. They need stuff now. They have too many kids and very little gym space. The accessibility to gym spaces in schools is just not there. When they came to us and we began to talk about it we thought it was great. We are within sightline of the high school. When you think about the baseball, softball, Pop Warner fields, Nike Park

soccer fields and possibly doing the basketball courts, it really dovetails well in sort of a strategic community parks and recreation plan for the kids.

Dr. Pope – Will this venture be a privatized venture for AAU and not necessarily just for me to come up there and use the facility? They will be paying the lease.

Rev. Boomer – They are open for any kind of partnership. Part of what they want to do will be privatized but at the same time they want to open it up so that individual teams could rent it out for a nominal fee during the week. It will be broader than just AAU at this point. I have even asked them about Isle of Wight Parks and Recreation. They said they were open to anything. We just need gym space right now. We do not have gym space. Quite frankly, the Boo Williams facility is not the best facility for them. Have you all been there? It is a huge facility but all of the courts are on top of one another. The great opportunity at our church building is that we actually get to divide those courts up. When kids are hearing whistles, they are not stopping play from adjacent courts. It is just a really good opportunity there. There will be opportunities for other people who want to rent it and use it. The church will have use of it too.

Dr. Pope – Are they okay with not using it at the same time that you are having church?

Rev. Boomer – It is a non-starter. We have told them that we cannot have that. We cannot have any basketball going on then.

Dr. Pope – If they try to have a tournament on Sunday, it would not be before 1:00 p.m.

Rev. Boomer – Probably not until 2:00 p.m. A lot of their tournaments can be done on Friday and Saturday. I like that a lot better because it allows me to maintain a Sabbath priority on Sunday. Certainly, we would not have anything that would conflict up through 2:00 p.m. on Sundays and we would like to limit that even further if we could.

Vice Chairman Bryan – Are there any other questions? At this time, I will open the public hearing. Is there anyone who wishes to comment? Hearing none, the public hearing is closed. We will now have consideration by the Planning Commission.

Mr. Pack – I would like to make the recommendation that we recommend approval of the special use permit as presented this evening with the condition that recreation activities will not be held concurrent with church activities.

Vice Chairman Bryan – A motion has been made and properly seconded. All in favor say aye, opposed say nay.

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

Vice Chairman Bryan – Our next item is a Public Hearing: Future Land Use Designation Change – Comprehensive Plan Future Land Use Map – Little Farm, North of Intersection of Waterworks Road & Courthouse Highway – Town of Smithfield, applicant. Could we have a staff report please?

Planning and Zoning Administrator – Yes sir. As you said this is a future land use change in the Future Land Use Map which is part of the town's Comprehensive Plan. It is referred to as the Little Farm which is west of Westside Elementary School but north of the intersection of Courthouse Highway and Waterworks Road. The farm itself encompasses about ninety-seven and a half acres. Currently, you have an exhibit in your packet that shows the existing Future Land Use Map. It shows approximately seventy five acres in Low Density Residential. There are, plus or minus, twenty two acres in Retail Commercial along the road frontage on Courthouse Highway. The proposed action would create approximately seventy two acres in Parks and Recreation. There would be approximately twenty five acres in Retail Commercial. This proposal would allow for a sports complex for the community's youth. It would also increase the size of the commercial corridor on Courthouse Highway. There were no weaknesses identified at this time.

Vice Chairman Bryan – The public hearing is now open. Is there anyone who wishes to speak?

Mr. Robert David Corbett – I live at 15433 Waterworks Road. I live in the residence that is right on the piece of property that you had planned to include in the commercial zoning. I do not have any problem with your long term plans. I may be dead and gone before anything happens. My only concern, and you may not be able to answer this question, is future tax problems or extra taxes that I could run into. If the

property around me is zoned commercial, it would be assumed that my land value would be equal to what is around me. I do not think you can answer that question but it is my only real concern.

Town Attorney – Mr. Corbett, we can answer that question.

Mr. Corbett – I will listen as best I can.

Town Attorney – This is a change for the future land use but nothing proposed would change the zoning on your property. Consequently, nothing will change with respect to the taxes on your property. In the future, if someone came along and decided they wanted to do some commercial development down there and you, or whoever follows you in the ownership of your property, might decide to sell it and include it in that rezoning. At that time, it would have an impact on your property and would make your taxes go up. Right now, nothing will change. You will be taxed just like you have been according to other comparable residential properties. The fact that you are in a designated future land use zone will not have any impact on whether your taxes go up or down.

Mr. Corbett – I agree with what you are saying. In the future, if the properties around me are zoned commercial then what happens to my taxes?

Town Attorney – Yours would have to be zoned commercial too for them to increase. If yours stays residential then you will continue to be taxed at the residential rate.

Mr. Corbett – I was concerned about that and did not know if you could answer it. I am very pleased that you can answer it for this date and time. I do not have any major complaints about the zoning. I really do not.

Town Attorney – You are still zoned Community Conservation. Your zoning does not change at all. You are at the very lowest zoning designation. It is rural. It is not high density residential. You are as low on the rung as you can go as far as zoning is concerned. If someone came along and they had a plan to put a shopping center there or some other commercial development, they cannot take your property and they cannot rezone your property without your consent. They might make you an offer you cannot refuse. You do not have to worry about your taxes.

Mr. Corbett – It was my only concern. Your answer is exactly what I expected to hear. We will get along. We have in the past. I have owned that property a lot longer than you all have. Thank you.

Vice Chairman Bryan – If there are no other public comments, the public hearing is closed. We will now have consideration by the Planning Commission. Are there any comments?

Dr. Pope – The only question I have is on the map. On Parcel #21-01-053 where the house is located, is that included in this property or is that a separate issue? The lines are drawn around it but I was under the assumption that parcel #21-01-052 and #21-01-053 were also part of this property.

Planning and Zoning Administrator – They are actually the school. Parcel #21-01-051B is where the Womble house is located. Parcel #21-01-051 is the bulk of the Little Farm.

Dr. Pope – I see it. I had thought that was the old house property.

Planning and Zoning Administrator – Parcel #21-01-051A is Mr. Corbett's property.

Vice Chairman Bryan – Are there any other comments? Hearing none, I will entertain a motion.

Mr. Pack – I would like to make a motion to recommend the Future Land Use Map change as presented.

Swecker – Second.

Mr. Vice Chairman Bryan – A motion has been made and properly seconded. All in favor say aye, opposed say nay.

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

Chairman Bryan – Our next item is the Approval of the March 8th, 2016 Meeting Minutes.

Town Attorney – Mr. Chairman and members of the Planning Commission, I recommend the minutes be approved as presented.

Ms. Hillegass – So moved.

Mr. Pack – Second.

Mr. Vice Chairman Bryan – A motion has been made and properly seconded. All in favor say aye, opposed say nay.

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

Vice Chairman – Is there any further business? Hearing none, we are adjourned.

The meeting adjourned at 6:52 p.m.



Mr. Charles Bryan
Vice Chairman



William G. Saunders, IV
Planning and Zoning Administrator