

The Smithfield Planning Commission held its regular meeting on Tuesday, September 8th, 2020 at 6:30 p.m. at the Smithfield Center.

Members present:

Randy Pack – Chairman
Charles Bryan – Vice Chairman
Mike Swecker
Thomas Pope
Lilton Marks

Members absent:

Julia Hillegass
Michael Torrey

Staff members present:

John Settle – Community Development & Planning Director
William H. Riddick, III – Town Attorney
Tammie Clary – Planner
Valerie Butler – Town Council member

There were three (3) citizens present. The media was represented by Mr. Nate Delesline of the Smithfield Times. Chairman Pack welcomed everyone to the meeting and all in attendance stood for the Pledge of Allegiance.

Community Development & Planning Director's Report:

Mr. Settle explained that following the incident that occurred at last month's Planning Commission meeting, Town staff have requested that a police officer be present at all meetings of the Planning Commission, Board of Historic & Architectural Review, and Board of Zoning Appeals. Additionally, the arrangement of the meeting room has been altered to deter similar situations from reoccurring.

Upcoming Meetings and Activities:

Tuesday, September 15th, 6:30 PM – Board of Historic & Architectural Review Meeting
Monday, September 28th, 3:00 PM – Town Council Committee Meetings
Tuesday, September 29th, 3:00 PM – Town Council Committee Meetings
Tuesday, October 6th, 6:30 PM – Town Council Meeting
Tuesday, October 13th, 6:30 PM – Planning Commission Meeting

Public Comments:

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

There were no public comments.

Planning Commission Comments:

There were no Planning Commission comments.

Discussion Item – Official Zoning Map Amendment, Comprehensive Plan Amendment, Zoning Ordinance Text Amendment, Special Use Permit & Planning Commission Waiver Applications – 19474 & 19502 Battery Park Road, Vincent Napolitano, applicant:

The Community Development & Planning Director reported that at its Tuesday, August 1st, 2006 meeting, the applicant received an approval from the Town Council for a conditional official zoning map amendment (this is often referred to as a “rezoning”) to alter the zoning classification of six properties (TPINs 22-01-017, 22-01-026, 22-01-028, 22-01-029, 22-03-001 & 22-03-002) from Community Conservation (CC) to Neighborhood Residential (NR). This approval was intended to facilitate the construction of 265 single-family dwellings, but the permitting process was never initiated beyond the conditional rezoning approval. The applicant now proposes to construct 410 single-family dwellings, 224 attached residential (“townhome”) dwellings, 144 two-family (“duplex”) units, 218 multifamily dwelling units in the form of “quadplexes”, and 110 multifamily dwelling units in the form of multistory “tenplexes”. All 1,106 proposed dwelling units are to be for sale. The proposed development will not be age-restricted and will be privately-regulated and maintained by an owners’ association. Amenities include onsite parking, pedestrian paths, sidewalks, private streets, public streets, private travel ways, two clubhouses, two swimming pools, pump stations, stormwater retention, landscaping, public water and sewer, existing roadway infrastructure improvements, and approximately 105.3 acres of open space in the form of parks, pet stations, playgrounds, and preserved environmentally-sensitive areas. The proposed development is to be accessed via six entrances on Battery Park Rd (three of which currently exist), and one entrance on Nike Park Rd. Much of the property fronts on Moone Creek and Town Farm Creek. The desired uses for the property would be classified as “cluster residential subdivisions”, “multiple family residential dwellings (with no more than three unrelated occupants per dwelling unit)”, “single-family attached dwellings, subject to attached residential district regulations”, “two-family dwellings, subject to attached residential district regulations”, and “private community facilities, recreation areas, parking lots for recreational vehicles, and other common area improvements normally associated with multifamily residential developments (other than those requiring special use permits).” The only zoning districts in which all of these uses are permissible are the Multifamily Residential (MFR) and Suburban Residential (SR) districts, pursuant to Smithfield Zoning Ordinance (SZO) Sections 3.C.C.3, 3.F.B.1, 3.F.B.2, 3.F.B.3 & 3.F.B.5. Because the property is currently zoned Environmental Conservation (EC), CC, and NR, and because the proposed development involves new property and conditions that far exceed those that were approved in 2006, it became apparent that a new rezoning application would be necessary. The applicant proposes no change in zoning classification to the portions of the property currently-zoned EC. The most essential Town publication to consult during the rezoning process is the Town’s Comprehensive Plan, specifically the Future Land Use Map (FLUM). The near entirety of the property in question is designated on the FLUM as remaining “low-density residential” in the future, which accommodates a portion of the property’s (TPINs 22-01-017, 22-01-026, 22-01-028, 22-01-029, 22-03-001 & 22-03-002) current zoning classification as NR. The remaining portions of the property (TPINs 22-01-033, 23-01-008 & 23-01-008A) which are currently zoned CC, if rezoned in accordance with the FLUM, would have to be rezoned NR. Consequently, the proposed rezoning is in conflict with the FLUM, and a Comprehensive Plan amendment is necessary. The applicant proposes no change in the FLUM’s current classification of the portions of the property designated as future “environmental conservation”. The general development plan submitted for the rezoning of the property features no recreational vehicle (RV)

parking pursuant to SZO Section 3.F.I.2.B, which states: *Separate parking spaces shall be allocated and reserved for recreational vehicle parking on the basis of one RV parking space per six dwelling units . . .* The applicant has chosen not to accommodate this standard in order to achieve the appropriate net developable acreage to necessitate 696 dwelling units in the proposed MFR-zoned portion of the development. This has necessitated an application for a Special Use Permit (SUP) for a waiver of parking and loading requirements pursuant to SZO Section 3.F.C.23. The applicant is seeking an additional SUP for the aforementioned “cluster residential subdivisions” use, pursuant to SZO Section 3.C.C.3. This would apply solely to the proposed SR-zoned portions of the property. The applicant has proposed a diverse array of active recreational areas for the proposed development, which would be enjoyed by owners and occupants in both the MFR and SR portions of the same. Because many of these areas fall within the MFR portion of the proposed development, they become subject to the provisions of SZO Section 3.F.G.3, which states that only owners and occupants within the MFR portion of the proposed development may enjoy the active recreational areas located therein. In order to allow owners and occupants in the SR portion of the proposed development to enjoy the active recreational areas in the MFR portion of the proposed development, the applicant has submitted a text amendment application which proposes to amend SZO Section 3.F.G.3 in the following manner: *Active recreational areas may include playgrounds with recreational structures, tot lots, tennis courts, swimming pools, wading pools, spas and saunas, clubhouse facilities, community meeting rooms and other similar facilities intended for the exclusive use and participation of residents within the ~~MFR~~ development . . .* Finally, because the applicant has chosen to accommodate the SZO’s open space standards in both proposed zoning districts through the use of a collection of parcels located throughout the proposed development instead of a single, contiguous piece of property pursuant to SZO Sections 3.C.G.4 & 3.F.G.5, an open space waiver is sought by the applicant pursuant to the same SZO Sections. This particular component of the applicant’s applications is subject to the review and decision of the Planning Commission, which should be contingent on the approval of the applicant’s other applications by the Town Council. Several components of this application can be viewed in the pages immediately succeeding this staff report. This application has resulted in requests for comments from several agencies and entities outside of the Smithfield Community Development & Planning Department, some of whose comments have been included in the attachments following this staff report. The purpose of this discussion item is to discern whether or not the Planning Commission is ready to proceed to a public hearing in October of this year, and/or if there are additional items that Planning Commissioners would like to see included in the application before proceeding. Additionally, the applicant attended the meeting and was available for questions from the Planning Commission.

Dr. Pope asked about the text amendment leaving out multi-family residential and if it would be a permanent change or just for this application. Mr. Settle explained that it is a permanent alteration. It would apply to all development.

Dr. Marks asked if there were different levels of pricing among all the new housing. He stated that new people moving into the Isle of Wight County cannot afford housing here. Mr. Settle stated that the Town cannot require certain price points, as it is not in the ordinance. The development narrative includes a list of anticipated housing product prices.

Vice Chairman Bryan had concerns regarding comments, from over half of the agencies, that the Town is waiting for. Mr. Settle explained that when applications first appear for the Planning Commission they are always presented as discussion items.

Vice Chairman Bryan commented on Amy Ring's comments about density. Mr. Settle explained that it was his understanding that the County's Comprehensive Plan calls for Rural Agricultural Conservation zoning in the areas adjacent to the development. Ms. Ring was pointing out that the dense residential development might potentially conflict with the rural areas the County had in mind in their long term plan.

Chairman Pack stated that on page 5 of the development narrative it states the range of housing options with a low of \$200,000.00 and a high of \$300,000.00 plus. There would be townhomes, duplexes, tenplexes, quadplexes and single family homes. He asked if there was a definition of affordable housing. Mr. Settle stated that there was not a definition in the Town's ordinance. It depends on the area but the price range the Town sees most often considered as affordable housing is \$150,000.00 to \$175,000.00 for a for sale unit. There are none at that price range in this proposed development.

The applicant, Mr. Vincent Napolitano of 1492 S. Independence Blvd., Virginia Beach, Virginia stated that Mallory Pointe had a rezoning and was shelved in 2008. As he started looking at the project again, the Scott Farm was brought into the Town of Smithfield in 2018. It was important because utilities run down Battery Park Road. They have planned multiple housing products and prices. There have been many meetings over the years with the Town and the County. There are five different housing products: tenplexes, quadplexes, duplexes, townhomes, and single family homes. The tenplexes are designed for young people starting out in life. The quadplexes have had great success in Suffolk and lend themselves to people with grown children and retirees. Yards are smaller with less maintenance. The duplexes look like single family homes but they are duplexes. There are single family homes starting at \$300,000.00 and going up to \$400,00.00 with options. The problem with keeping housing affordable is the cost of the land, cost of development, and the cost of regulation requirements. Mr. Napolitano explained why they were looking for the text amendment about the open space not being continuous. It did not work well with the design to intertwine all the different products. The products are separated but they are intertwined so that people have a safe community that they call home with all of the amenities such as parks, walking trails, and clubhouses. The Scott Farm and Mallory Pointe will have two different clubhouses and two different pools. The idea is that both communities would be able to use both clubhouses and pools. There would be a lot of "pocket" parks included and a lot of landscaping. The single family homes would be located farther off Battery Park Road on the nicer lots with the tenplexes closer to Battery Park Road. The regulations for entrances to the projects can get costly with brick, etc., which rules out affordable housing. Mr. Napolitano would like to do landscape buffers along the roadway. There would be berms with landscaping and trees. As a person drives down Battery Park Road, there would be beautiful scenery. Traffic is also a concern at the intersection of Battery Park Road and Nike Park Road. Mr. Napolitano would put in a traffic circle in that location which was a part of the original rezoning for Mallory Pointe. Research has been done to determine the best option for the intersection and it remains a traffic circle. VDOT has been part of the effort to

determine what is best for the area. He was available for questions from the Planning Commissioners.

Dr. Marks asked about income levels and affordable housing. He understands growth but asked about mixing income levels in neighborhoods so as not to create areas of poverty. The Town of Smithfield has a lot of workers that go in and out of Smithfield such as the meat packing plant. Police officers do not necessarily live in our community. As growth happens in Smithfield, his hope is that the Town looks at what is built in all of the new subdivisions. He hopes for diversity with low income people mixed in with the developments so there is a more diverse community that maintains a certain level of neighbors that can be proud of themselves. Mr. Napolitano believes the project will do exactly that. He stated that they would have HOAs and the upkeep would be managed. There would be rules and restrictions of the HOA. There will be 1,100 units but it will be a ten to fifteen year buildout. There will be years of great sales and years that are not so great. It will not happen all at once.

Chairman Pack asked if there was anything in the HOA documents that allows for rentals or a certain percentage of units that could be rented. Mr. Napolitano stated that they try to limit rentals but he cannot tell people that they cannot rent their property.

Vice Chairman Bryan asked about the road improvements since there is not an impact analysis yet. He asked the applicant to expound on what type of improvements are being addressed. Mr. Napolitano stated that the packet included information on that. Chairman Pack explained that the entire 488 pages was not included. He had reviewed the significant traffic analysis provided by the developer. Mr. Napolitano explained the Nike Park extension will happen in 2022 if everything stays on schedule. It has been funded and approved by VDOT. Land acquisition is in progress. The traffic circle would need to happen at the start of the project after engineering and plan approval. Improvements will be made as more and more houses are built. Turn lanes are also planned for installation at some point. Vice Chairman Bryan asked what happens once a vehicle crosses the Nike Park Bridge to the traffic circle at Battery Park Road. Mr. Napolitano stated there would be turn lanes in front of the entrances. The traffic circle would be a two-lane circle. The light would be eliminated at that point. Traffic would flow constantly through the circle.

Dr. Pope asked what would happen to Battery Park Road and Nike Park Road and if they would be four lane roads at the conclusion of the development. He asked how it would impact the traffic circle. Mr. Settle explained that he did not know what VDOT has planned for Nike Park Road in the long term. However, it is in the Town's Capital Improvement Plan for Battery Park Road to be five lanes. Dr. Pope asked if that would be accounted for with the traffic circle. Mr. Settle explained that the applicant is proffering twenty-five feet on the entirety of their side of the road to take that into consideration. Dr. Pope stated that eventually the four or five lane roads would be larger than the traffic circle. He explained that the traffic circle should be planned for the anticipation of the roads being widened; otherwise, it would have to be redone within the next ten years.

Vice Chairman Bryan stated that the majority of the soil in the environmental plan is shrink/swell soil. He asked how comfortable a buyer should be buying a home under those conditions. Mr. Napolitano explained that there would be a full scale geological examination of the property. He did not want to spend the money on that yet until he knew about the Planning

Commission's concerns for the initial plans. He explained that if shrink/swell issues are present then an engineer designs the footing for that particular lot. Shrink/swell soils are not something to be scared of but it is more costly for the builder. Once the soil analysis is done then there will be decisions to make.

Dr. Pope asked about the rezoning exhibit showing the two large parcels of land in the middle of the development. Mr. Napolitano stated that one of the areas was Greenbrier Lane and has houses along both sides. He was not interested in purchasing the other parcel. He believes the owner plans to do something with it himself. Dr. Pope had concerns about the future development of the other two parcels and making it cohesive with the current application. Mr. Settle explained that Mr. Napolitano plans to screen the area with existing vegetation. It is the best practice without knowing what an applicant may propose in the future.

Dr. Pope asked why there were so many entrances. He was concerned about the traffic flow on Battery Park Road. Mr. Settle explained that it is always preferred to have as many entrances as possible. He stated that the VDOT comments, when received, will likely address some of Dr. Pope's concerns. The Town Attorney explained that it is an emergency services issue.

Chairman Pack commented on the school system comments. Dr. Thornton stated that if "the construction of Hardy Elementary and Westside Elementary move forward, Isle of Wight County Schools would be in a good position to accept the additional enrollment generated by the Mallory/Scott Farm development." It is the first time the school system has ever said they will have room. Dr. Pope stated that many developments are proposed in Carrollton and surrounding areas. He asked for the current level of children in the schools and how much capacity has the Town and County already committed to with other developments. Mr. Settle stated that he would ask if the school system had taken other developments into consideration. Dr. Pope explained that he would like to see the numbers with so many future developments already approved by the county.

Dr. Pope asked about the BMPs for the projects. On page 10 of the applicant's development narrative, it states that "drainage facilities shall be owned and maintained by either the Homeowners Association or within a public easement." He asked if the Town would agree to take on any maintenance of the BMPs. Mr. Napolitano explained that, generally, public areas would be dedicated to VDOT. The Town Attorney explained that most roads within the Town are Town roads not VDOT roads. The Town of Smithfield maintains most of the roads. Mr. Settle stated that there appears to be some conflicting language between the proffers statement and the development narrative. The proffer statement says that the Homeowners Association will be responsible for the perpetual maintenance of stormwater management facilities. He stated that perhaps in preparation for the next meeting that language concerning drainage should be clarified.

Mr. Settle reviewed the list of items that the Planning Commission would like to see as the application progresses: the viability of a pedestrian crossing on Nike Park Road for access to the bike path, confirmation from the Town and/or VDOT as to whether a twenty-five foot right-of-way dedication would be sufficient for the eventual five-lanes on Battery Park Road and/or Nike Park Road, follow-up with the school system to verify that the comment for this development also took into consideration future developments previously approved, change language for the

stormwater management facilities, and to see that some effort is being made to accommodate affordable or workforce housing markets.

Dr. Pope asked where the developer would include waste collection containers. Mr. Napolitano explained that most homes would have trash cans collected by a private collection company. He explained that there would be no dumpsters in the development. He is exploring the option of a private collection company that returns the trash cans from the curb for the multi-family units.

Chairman Pack asked if the tenplex units were all one level. Mr. Napolitano stated that some would be one-story and some would be two-story. Chairman Pack asked if the two-story tenplex units would have an owner on the first floor and a different owner on the second floor. Mr. Napolitano did not give a clear response to the question, but did indicate that the tenplex condominium units would be configured in a similar manner to the multifamily buildings located at the Eagle Harbor Apartments.

Dr. Pope stated that there are many aspects to the application. The text amendment is not a problem to him; but he asked why there were 1,100 units and no RV parking provided as requested with the special use permit aspect of the application. He asked what the residents would do with their toys. He believes a community of that size should have parking to accommodate the toys. It could possibly be less than the ordinance requires but there should be some parking provided. Mr. Napolitano stated that it was the purpose of tonight's discussion; to see what the Planning Commission comments would be and then he will take a look at all comments.

Dr. Pope commented on the open spaces also. He stated that the applicants have applied for relief from the open space standards. He personally felt that there did not need to be one large piece of open space. If there were multiple open spaces meeting the requirements for all appropriate open spaces then he was fine with that. Mr. Settle explained the purpose of the Planning Commission waiver for the open space item was to give the Planning Commission the power to handle requests on a case by case basis. Mr. Settle stated that he does not believe the applicant has proposed any open space that would be considered too small to be sufficiently utilized. The applicant's request is not unusual when compared to other developments around Smithfield and elsewhere in Hampton Roads. The Town Attorney explained that it prevents applicants from putting tiny pieces all over the development in order to meet the open space threshold. Chairman Pack asked who would cut the grass for the small open space between all the houses near the central park area. Mr. Napolitano explained that, as the plans progress, an access path would be added to provide for mowing.

Chairman Pack stated that when the application comes back with final details he would like to see each application itemized within the staff report so that the public has a better understanding of the applicant's intentions. Mr. Settle stated that he would do that the next time it comes before the Planning Commission.

Dr. Pope stated that the Planning Commission needed to decide if they would want to quadruple the size of the currently-approved project for the conditional rezoning and the future land use map application request. The Town Attorney stated that the first vote at the public hearing would be the future land use aspect of the application. If that is not approved then the rest of the application does not happen.

Chairman Pack stated that with 1,100 units with an average of four people per unit there would be an additional 4,000 residents added to the Town of Smithfield. Once the project is built out, the Town will exceed 10,000 residents. The Town would have to have their own stormwater management program among other services.

Mr. Napolitano stated that in order to have affordable housing then density must increase to make units affordable. Chairman Pack stated that every amenity adds to the fixed cost.

Mr. Settle stated that he would add two items to the list: an effort will be made to accommodate some of the RV parking and for staff to itemize each application item in the staff report.

The Town Attorney stated that for the original application in 2005 there were a lot of rules and regulations for piers and boats. They do not seem to be there for the current application. He suggested that Mr. Napolitano might want to address those issues when the application comes back. Dr. Pope stated that Moone Creek might be navigable by a small boat. The original development stated no piers and no motorboats. There would only be a community pier.

Mr. Settle asked if the lots would be waterfront lots or would the lot lines stop and the environmentally encumbered land be communal property and maintained by the Homeowners Association. Mr. Napolitano stated that the homeowners' association would retain ownership of all environmentally-encumbered property.

Chairman Pack asked the Town Attorney what the process would be if a favorable recommendation was made to Town Council. The Town Attorney explained that public hearings would be held by the Planning Commission and the Town Council. If approved, the property would be rezoned and the applicant could get to work on all of the plans and details. It would then come back to the Planning Commission for preliminary and final site plan review. There are standards that the Town has adopted that the applicant must meet if it is rezoned. They submit their plans and the Town verifies that they have met the standards.

A discussion was held about connectivity from the proposed development as access to the undeveloped property for use at a future date.

Mr. Settle stated that two more items were added to the list of questions and concerns. The first is for private piers and the launching of motorboats to be addressed. The second item is that the Planning Commission would like the applicant to consider the feasibility of a connector street from the cul-de-sac next to the Greenbrier subdivision to Battery Park Road.

Chairman Pack asked the Planning Commissioners if they would like to move toward a public hearing next month or wait a while longer. The Town Attorney asked when the other comments were expected from the other reviewing agencies. Mr. Settle stated that all comments should be received by the October 13th, 2020 meeting. Dr. Pope stated that if there was a public hearing at the next meeting a decision does not have to be made at that time. Mr. Settle stated that the Planning Commission has one hundred days as of tonight's meeting. If it is not decided within one hundred days, the Planning Commission favorably recommends the application to Town Council by default. There is no limit for the Town Council to decide.

Discussion Item – SZO Section 3.M Text Amendment – Town of Smithfield, applicant:

Mr. Settle reported that the 2017 designation evaluation of the properties located within the Historic Preservation Overlay (HPO), which was finalized by the Board of Historic &

Architectural Review (BHAR) earlier this year, has caused Town staff to realize that the inventory of properties located within the HPO (enshrined in Smithfield Zoning Ordinance (SZO) Section 3.M.H) has grown to become lengthy and difficult to navigate. Additionally, Town staff have persistently struggled with a lack of clarity in the SZO concerning the boundaries of the HPO, the absence of classification criteria for non-contributing properties, and our inability to update the inventory of properties to reflect technical changes to certain attributes contained therein (i.e. address changes, etc.). To remedy these concerns, Town staff have proposed a text amendment to SZO Article 3.M which seeks to achieve the following items:

- (1) The revision of SZO Section 3.M.D.4 to include classification criteria for non-contributing properties.
- (2) The creation of a map of the HPO which clearly illustrates the HPO's boundaries, and the designations of the properties located therein.
- (3) The repeal of SZO Section 3.M.H, and its replacement with an inventory of properties that will be attached to the aforementioned HPO map as an appendix.
- (4) The creation of SZO Section 3.M.D.6, which allows Town staff to update the inventory and HPO map from time to time to reflect technical changes which occur within the HPO in real time. All changes will be brought to the BHAR for their approval. This, coupled with the removal of the inventory list from SZO Section 3.M.H, allows for Town staff to make changes to the inventory and map without having to seek review and decision by both the Planning Commission and the Town Council- a sixty-to-ninety-day process that entails two public hearings. Some examples of technical changes to the inventory and map that Town staff would seek to undertake include (but are not limited to):
 - (a) Address assignments, changes, and removals (i.e. new construction, demolition, etc.).
 - (b) The reversion of a property's designation from landmark or contributing to non-contributing in the event of its accidental destruction by fire, flood, etc.
 - (c) The creation, vacation, and/or adjustment of lot lines and tax parcel identification numbers as a part of the subdivision process.

Some other items for the consideration of the Planning Commission include the fact that Article 3.M of the SZO has always referenced an HPO map, but until now, no definitive map has been known to Town staff. Finally, the inclusion of an inventory of properties located within an overlay district as a section of the zoning ordinance is a concept that is atypical in Virginia. At its Tuesday, August 18th, 2020 meeting, the Board of Historic & Architectural Review reached a favorable consensus on this application. A redlined version of this text amendment is included in the pages immediately following this staff report. Additionally, the draft HPO map and inventory have been included for the convenience of the Planning Commission. Mr. Settle asked if there was anything else the Planning Commission would like to add or change. He asked for a consensus to proceed with a public hearing in October.

Vice Chairman Bryan reviewed the list and commended staff for a job well done.

Chairman Pack asked about the lots in the rear of the Pierceville property which appear to have been subdivided. Mr. Settle stated that Pierceville is a peculiar example. The tax map number comprises three platted lots. There is a parcel across Route 10, the main part, and a piece on Cary Street. Town staff is unclear on why, when or how the remaining lots in the rear were subdivided.

They all have different tax map numbers under the same ownership. Chairman Pack asked if all of the property should be included in the Historic Preservation Overlay District. Mr. Settle stated that the long term plans for the property will likely mean it will be subdivided into smaller pieces. It does not seem feasible to have brand new homes within the Historic Preservation Overlay District. Also, the Entrance Corridor Overlay already comes off of the Route 10 Bypass. The Town Attorney suggested amending the map to exclude the property from the historic district. It would not make sense for new homes to be in the historic district. Chairman Pack stated that he believes the Town would want them in the historic district to meet the guidelines for the historic district. The Town Attorney stated that if and when there was a rezoning then it would be noted that it is adjacent to the historic district and they would have to proffer things that would match. He explained that the benefit of it being in the historic district now is that any developer would have to put forward a concept that was compatible. However, the Town would then have to administer that if it remained in the district. He explained that it should be the job of the Homeowners' Association to enforce their own architectural review standards.

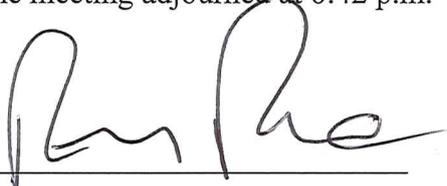
The Planning Commission reached a favorable consensus on the application's return for a public hearing at the next regularly-scheduled Planning Commission meeting.

Approval of the Tuesday, August 11th, 2020 Meeting Minutes.

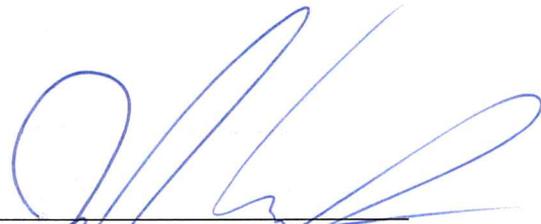
The Town Attorney recommended that the minutes be approved as submitted. Vice Chairman Bryan made a motion to approve the minutes. Dr. Pope seconded the motion. Chairman Pack called for the vote.

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

The meeting adjourned at 8:42 p.m.



Mr. Randy Pack - Chairman



Mr. John Settle - Community
Development & Planning Director