

The Smithfield Planning Commission held its regular meeting on Tuesday, November 12th, 2019 at 6:30 p.m. at the Smithfield Center.

Members present:

Randy Pack – Chairman

Charles Bryan – Vice Chairman

Bill Davidson

Julia Hillegass

Mike Swecker

Thomas Pope

Michael Torrey

Staff members present:

John Settle

William H. Riddick, III

Mrs. Valerie Butler – Town Council

There were approximately forty-eight (48) citizens present. The media was represented by Mr. Frederic Lee of the Smithfield Times. Chairman Pack welcomed everyone to the meeting. All in attendance stood for the Pledge of Allegiance.

Community Development & Planning Director's Report:

Mr. Settle reported that the town began advertising to fill the newly created Town Planner position.

Upcoming Meetings and Activities:

Monday, November 18th, 3:00 PM – Town Council Committee Meetings.

Tuesday, November 19th, 3:00 PM – Town Council Committee Meetings.

Tuesday, November 19th, 6:30 PM – BHAR Meeting.

Tuesday, December 3rd, 6:30 PM – Town Council Meeting.

Tuesday, December 10th, 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. No one signed up for public comments.

Chairman Pack asked if anyone would like to speak. There were no comments from the public.

Planning Commission Comments:

Dr. Pope asked if there were any updates about the old Tastee Freeze building. Mr. Settle stated that there were no updates. Chairman Pack asked what the Town options were since the building is so dilapidated. Mr. Settle explained that the building itself is an existing, non-conforming block building. It enjoys several non-conforming conditions with the building and non-conforming issues with the lot. It is a corner lot and encroaches into two setbacks. If the building were demolished and developed as new, the owner would lose a lot of the grandfathered status that it currently has.

There were no further comments from the Planning Commission members.

Entrance Corridor Overlay (ECO) Design Review (After-the-Fact) – 1800 S. Church Street, Major League Builders, Inc. c/o James Ferguson, applicant.

The staff report stated that on or before Monday, October 21st, 2019, the applicant replaced the pre-existing roof of several different colors and materials with a light brown-colored architectural asphalt shingle roof. Town Staff recommends approval as submitted.

Shawn McDowell represents the church as their pastor. He stated that they replaced the roof because of the age of it. It was his understanding that the roof was exempt from building permits. They matched the most recent roofing that was there on the old sanctuary. He did not know that there would be an issue. James Ferguson, with Major League Builders, Inc., did all of the work.

Chairman Pack asked if there were any comments for the applicant. Hearing none, he moved to Planning Commission comments.

Mr. Davidson thought it looked great. It was a roof of many colors before and it is now all the same color.

Chairman Pack explained that they have an obligation to make known that design changes need permission from the Town on their color choices. He believes the Town needs to do a better job of letting people know that. He did not feel there were any major problems with this specific change.

Mrs. Hillegass made a motion to approve the application as submitted. Mr. Davidson seconded the motion. Chairman Pack called for the vote.

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

ECO Design Review & Major Site Plan – Lot 17, Benns Church Blvd., Vanasse Hangen Brustlin, Inc., c/o Kenneth Rodman, et al., applicants.

The staff report stated that Town staff received a major site plan and ECO design review application for the new construction of a Dollar Tree store at the above referenced property. Following staff's first comment letter, sent to the applicants on April 18th, 2019, talks began between the applicants and town staff concerning applications to the Planning Commission for an ECO waiver and buffer modification request, both of which were granted by the Planning

Commission on September 10th, 2019. As a result of these approvals, this application now satisfies all applicable provisions of the Smithfield Zoning Ordinance.

Town staff recommends approval of both the major site plan and ECO design review components of this application under the condition that both items below are satisfied prior to the issuance of a zoning permit:

- (1) That all access, utility and temporary construction easements reviewed by Town staff must be signed by all parties and recorded in the configurations required by town staff - recordation receipts documenting these actions must be provided to town staff.
- (2) The best management practice (BMP) maintenance documents and surety bond estimate sent to the Isle of Wight County Stormwater Management Division be approved, and a Virginia Stormwater Management Program Authority Permit be issued.

The Community Development & Planning Director stated that all applicable documents are attached to the staff report. He noted that there were concerns from members of the Planning Commission over access to this site. It was identified early on as a concern by town staff. The applicants showed evidence of an existing access easement to cover vehicular access across the forward portion of the O'Reilly's parking lot. The applicants have proposed to create a new easement along the back of the property to facilitate access behind O'Reilly's to the Dollar Tree.

The developer told the Planning Commission that he would be happy to answer any questions the Planning Commission members had. The engineer was also available for questions.

Vice Chairman Bryan asked if the applicants had an agreement with O'Reilly's about sharing the entrance. He wanted to know if they had spoken to them about it. The developer stated that there are signed easement agreements. They will be recorded once they close on the property. There is already a recorded easement that gives them access across the O'Reilly's property. They also have another easement across the back and the other party has signed that. It is all signed and ready to be recorded.

Chairman Pack asked about the façade. He stated that it was a pretty standard Dollar Tree façade. He asked if they would consider a brick façade. He believes brick would be more attractive. The developer stated that he did not think brick fell within the code they were working with. It is a substantial increase in cost. It was not factored into the deal when they went into this. They made modifications to the plan based on previous comments. There was an architectural review early on in the process. They received those approvals.

Mrs. Hillegass asked about something to give it a bit more character such as awnings. The developer stated that there was an awning on the front. Any additional awnings were not requested in the early architectural review process. Mrs. Hillegass asked the developer if they would consider doing additional awnings. The developer explained, again, that it was an

additional expense item that they had not planned on. He would have to see if there was money in the budget for them.

Chairman Pack asked for Planning Commission comments, questions, or discussion.

Mrs. Hillegass stated that she has had a lot of contact with residents about this since it went to the Planning Commission the first time. They do not want it to look like the run of the mill Dollar Tree. They like the things we have done with Wendy's and Tractor Supply.

Mr. Settle clarified that when this application went through the major site plan review the elevations provided by the applicants were first reviewed administratively through the ECO design guidelines. Elevation changes as well as light fixture changes initially proposed by the applicants were discussed and changed. The guidelines basically say that they need to utilize color schemes, massing, and forms that are appropriate for the ECO district. Staff felt that what the applicants had prepared satisfied the guidelines. The applicants have broken up the façade with several different components. An awning is provided. If the Planning Commission feels that a conditional approval based on an enhanced exterior design of the building is appropriate, he believes it is something the Planning Commission can do.

Mrs. Hillegass stated that awnings, on the front and side, would give it a bit more character and not be as costly as a brick façade. She believed it would not be an undue burden on the applicant.

Mr. Davidson stated that he did not have a problem with the design as presented especially for that location. He thinks it is very appropriate considering that it sits next to two automotive stores.

The Town Attorney explained that in the case of Tractor Supply there were no windows. The use of awnings was to give the illusion of windows to break up the façade.

Mrs. Hillegass stated that the Dollar Tree does not have windows on the side. She would like to have awnings on the side to break up the side view. She stated the one on the front would suffice but she would like to see some to break up the side façade.

The Town Attorney made the suggestion that staff bring these types of applications to the Planning Commission earlier on in the process. Staff has stated that they reviewed it and that it is compliant with Town standards. Some of the Planning Commission members expressed that they would like to do that in the future. They understand that the applicant, at this point, has gone to considerable expense with their design. Chairman Pack stated that Smithfield could be any locality in Hampton Roads but would prefer it to be the best locality in Hampton Roads. The Planning Commission members have a lot of say in what is approved. If they continue to approve things like a standard Dollar Tree then Smithfield will be a standard town. He would like to have some input into the architectural features of applications earlier in the process.

Mr. Davidson made the motion to approve the application with staff's recommended conditions. Vice Chairman Bryan seconded the motion. Chairman Pack asked if there was any further discussion. Hearing none, he called for the vote.

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

Public Hearing – Special Use Permit (SUP), Site Plan Amendment & ECO Design Review – 19290 Battery Park Road, Harvest Fellowship Baptist Mission Trustees, c/o Charles Drake, applicant.

At its Tuesday, July 12th, 2011 meeting, the Planning Commission approved a major site plan application for 19290 Battery Park Rd. The approved application included the construction of a fifty-two (52) space parking lot immediately east of the church auditorium, which was to be composed of heavy-duty asphalt travel ways, light duty asphalt parking spaces, and concrete curbs and gutters. Due to financial constraints, the applicants did not install the asphalt surfaces necessary to complete the job, and resorted to utilizing the crushed stone or gravel subbase for parking purposes, an action which conflicts with Smithfield Zoning Ordinance (SZO) Section 8.B.6.a, which reads: *For all . . . institutional . . . uses . . . all required off street parking spaces and drives shall be constructed of an all-weather, stabilized, dust-free surface (concrete, bituminous concrete, paving blocks, or other similar material) . . .* In July of this year, the applicants consulted with Town staff concerning the repair and maintenance of the subbase with additional crushed stone or gravel. Town staff informed the applicants that if their intention was to continue to utilize the unfinished parking lot for parking, an after-the-fact special use permit (SUP) application for a waiver of parking and loading requirements (pursuant to SZO Section 3.A.C.36) would be necessary. The applicants have insisted that they intend to install the asphalt as shown on their approved site plan, and that any approval resulting from this application would serve a temporary purpose. The applicants have also indicated that there was an urgent need to utilize the unfinished parking lot in order to accommodate elderly and disabled members of their congregation. Town staff recommends approval of the site plan amendment and ECO design review components of this application contingent on the Town Council's approval of the SUP component thereof. Additionally, Town staff recommends a favorable report from the Planning Commission to the Town Council on the SUP component of this application under the following conditions:

- (1) This SUP is only applicable to the portion of the parking lot located immediately east of the church auditorium.
- (2) This SUP is null and void after a period of ten (10) years has passed, or upon the completion of the parking lot in accordance with the major site plan, approved on Tuesday, July 12th, 2011, and amended on Tuesday, February 11th, 2014 - whichever event occurs first.

- (3) The applicants must purchase and install a water meter for the fire suppression system located on the premises- the Engineering & Public Works Department has informed Town staff that this was not required during any of the applicants' previous approvals over the course of the last decade or so, but that it is now required for any project in which water-based fire suppression systems are utilized. Town staff must review and inspect this work.

Given that this is a new water meter that will not be available for purchase until January of next year, Town staff suggest that the applicants be given a period of two years to complete this work or the SUP will be null and void. The application and illustration accompany the staff report.

Mr. Charles E. Drake, the applicant, stated that he was in charge of the grounds team for the church. He was available for questions from the Commissioners.

Dr. Pope asked when construction of the church had been completed. The applicant stated approximately five years ago.

Mrs. Hillegass asked if there was a timeline for the asphalt parking lot. The applicant did not have a timeline because they are trying to raise funds. They are trying to raise the rock level in the parking lot first and put curb and gutter on the far east bound side. The side closest to the worship center has curb and gutter and a sidewalk. Once they get through the capital campaign, if money is available, they hope to use the funds to asphalt the parking area. They do not have the money to do it all at once.

Chairman Pack opened the public hearing and asked if anyone would like to speak for or against this application. Hearing none, public comments are closed. He called for Planning Commission comments.

Dr. Pope asked about the ten year wording in the application. Mr. Settle explained that staff felt a "sunset" clause would be appropriate. Other localities condition their special use permits with a date of ten years. This would be for ten years from the date of Town Council approval or until the applicant has built out their project in accordance with the 2014 site plan approval; whichever occurs first.

Dr. Pope felt that ten years was a long time. He was concerned that other projects would not be allowed to wait that long. Mr. Settle explained that the Planning Commission could amend any other conditions as they see fit. Dr. Pope preferred to shorten the length of time. An additional ten years is a long time to wait for pavement.

Mrs. Hillegass asked if the stormwater system would be able to handle the asphalt change. Mr. Settle stated that it was planned for originally and would accommodate it.

Dr. Pope made the motion to recommend to Town Council to approve the special use permit with staff's recommended conditions, but with completion within five years instead of ten and including the new water meter for fire suppression. Mr. Davidson seconded the motion. Chairman Pack asked if everyone understood the motion. Mr. Settle asked if the first item was included also. Dr. Pope stated that it was. Chairman Pack stated that all three provisions

recommended by staff are included in the motion except the time frame is five years not ten years and can be re-evaluated at that time. Chairman Pack called for the vote.

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

Public Hearing – SUP, Site Plan Amendment & ECO Design Review – 655 W. Main Street, Brown’s African Methodist Episcopal Church Trustees, c/o Sterling Thomas, applicant.

On or before Friday, June 14th, 2019, Town staff learned that the applicants had expanded the existing parking area at the property in question. The additional impervious cover exceeded the state-mandated 2,500 square foot threshold for land-disturbing and stormwater management permits, and the applicants were advised in a formal notice of violation to immediately undertake one of the following steps:

(1) Remove all new unpermitted impervious cover and stabilize the resulting disturbed area.

OR

(2) Remove all new unpermitted impervious cover in excess of 2,500 square feet, stabilize the resulting disturbed area, and apply for after-the-fact permitting for the expansion of the parking area.

The applicants selected the second step, which entailed an after-the-fact special use permit (SUP) application for a waiver of parking and loading requirements pursuant to Smithfield Zoning Ordinance (SZO) Section 3.I.C.30. This application is necessary as the applicants chose to expand their parking area with gravel or crushed stone, which conflicts with SZO Section 8.B.6.a: *For all . . . institutional . . . uses . . . all required off street parking spaces and drives shall be constructed of an all-weather, stabilized, dust-free surface (concrete, bituminous concrete, paving blocks, or other similar material) . . .* The applicants propose an expansion of the existing parking area by an area of approximately 2,250 square feet- this new impervious cover is located within the front yard of the church, and accommodates a total of eight (8) new parking spaces. The applicants have indicated that there was an urgent need to expand the parking area in front of the church in order to accommodate elderly and disabled members of their congregation. Town staff recommends approval of the site plan amendment and ECO design review components of this application contingent on the Town Council’s approval of the SUP component thereof. Additionally, Town staff recommends a favorable report from the Planning Commission to the Town Council on the SUP component of this application.

Ms. Inetha Holmes was representing the applicant, Mr. Sterling Thomas, who could not attend the meeting. She was available for questions from the Planning Commission.

The Town Attorney asked how long the church has been at their location. Mrs. Holmes stated that it has been on Main Street since the 1970’s.

Chairman Pack asked if the church intends to leave the parking area with gravel or if they intend to pave it eventually. Mrs. Holmes stated that they plan to leave the gravel. The Town

Attorney stated that they cannot pave it because it exceeds the state mandated requirement for impervious coverage. They were advised they were in violation. Mr. Settle explained that the impervious cover, in this case, is the gravel. Gravel is treated as impervious cover under state stormwater laws. The applicants initially started with a paved asphalt driveway. In June, staff noticed that they had filled in the grass area between the two driveways with gravel which is what triggered this. If it had been paved with asphalt, they would not be here for a SUP. They would be here for an “after-the-fact” ECO design review and site plan review. The SUP is for a waiver of the parking requirement for the parking area to be improved with asphalt, concrete, or another dust-free impervious cover.

Dr. Pope asked if there was an entrance or exit behind the church. Mrs. Holmes stated that there was not.

Vice Chairman Bryan stated that this property is in the ECO. Is a gravel parking lot permitted in the ECO? Mr. Settle stated that the Entrance Corridor Design Guidelines do not specifically address parking lot materials. It is included as an ECO Design review item because the Zoning Ordinance states that any development activity within the ECO requires ECO design review. In other words, this is an improvement that requires ECO design review and the design guidelines do not address the improvement itself.

Dr. Pope asked why the stormwater management practices do not come into play here. Mr. Settle stated that it is because they are expanding the parking area by less than 2,500 square feet. He further explained that the Isle of Wight County Stormwater Management Program examined this application and they were not at all opposed to it. They looked at the overall amount of additional impervious cover and saw that it was under the state mandated threshold. They said that no stormwater permit was needed. It was above the 2,500 square foot threshold originally; but they took up the excess gravel and stabilized it with seed and straw. Dr. Pope asked if they could continue to come back each year and add 2,500 square feet until the property is covered in gravel. Mr. Settle said that the county is on record as saying that someone can do that without a stormwater management permit.

Vice Chairman Bryan asked if any landscaping requirements come into play with the ECO review. Mr. Settle said that it would not for an expansion of a parking area.

Chairman Pack opened the public hearing. He asked if anyone else would like to speak. Hearing none, he closed the public hearing. He asked if there were any further comments from the Planning Commissioners.

Chairman Pack reminded the Commissioners that they just approved a church for a five year SUP to pave it. This church wants a SUP to not pave the parking lot; ever. He would like for everyone to be fair and equal when considering these types of applications. Dr. Pope argued that Harvest Fellowship originally planned to pave the parking lot but never did. This church did not come to that conclusion at that time. Ms. Hillegass stated that the magnitude of this project is much less than Harvest Fellowship. Dr. Pope asked if the Town could be more restrictive than the state. Can the Town say that it can be a onetime change only so that they cannot increase it each year? The Town Attorney explained that if they were going to disturb it then they would have to pave it. In this case, they were below the threshold but they do not want to pave it which

is why they are here. If they came back next year and wanted to do 2,400 square feet more and they planned to pave it then they could and they would not be here for another SUP. If they chose not to pave it then they would have to come back to the Planning Commission again.

Mr. Davidson stated that he felt it was fine how it is since they seeded and made the parking lot farther from W. Main Street. He believes that any church that needs extra parking is a good thing.

Dr. Pope stated that he was not against what they have done since there was no access from the back of the property. It helps the disabled members of the congregation to be closer to the door. He was not opposed to the plan just wondered why it happened to begin with.

Mr. Davidson made a motion to recommend this application as submitted to the Town Council. Mrs. Hillegass seconded the motion. With no further discussion, Chairman Pack called for the vote.

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

Discussion Item – Smithfield Zoning Ordinance, Article 3.I Text Amendment (After-the-Fact) – 865 W. Main Street, SB Cox Ready Mix, Inc., c/o Gordon Holloway, applicant.

On or before Monday, August 12th, 2019, the applicants installed a private well on the premises. Because the property is located within the Heavy Industrial (I2) zoning district and is occupied by non-residential uses, this action conflicted with Smithfield Town Code (STC) Section 82-45, which reads: *Where a public water supply is available in the Town, it shall be unlawful to connect a . . . commercial structure to a private well or other water supply, except as may be approved by the Town Manager on a temporary basis, or by approval of a Special Use Permit (SUP) in accordance with the provisions of the . . . [Smithfield] Zoning Ordinance (SZO).* At no point has the Town Manager approved the use of the well on a temporary basis, nor are private wells permissible in the I2 zoning district, pursuant to SZO Article 3.L. Consequently, the applicants are applying for a text amendment to allow for the addition of Section 3.L.C.34 to the SZO, which would read: *Private wells for the purpose of batching and mixing concrete.* If approved, the applicants would then have to apply for an SUP in order to keep and use the well. Town staff encourages discussion among the members of the Planning Commission before proceeding to a public hearing and decision at a later meeting. The applicants stated that they were unaware of this. They have not utilized the well since its installation. It has been capped until approved.

Mr. Gordon Holloway stated that he is the General Manager at Farmers Service. He stated that they had received a permit from the state to dig the well totally unaware that there was a conflict with the local ordinance. He would like to come to a resolution to satisfy everyone's needs.

Mrs. Hillegass asked what the estimated draw was on the well. Mr. Holloway stated that they currently use about 300,000 to 400,000 gallons of water per month.

Chairman Pack asked if they were currently buying that water from the Town of Smithfield. Mr. Holloway stated that they were which is why they want to use the well instead. The Town water is processed and not required for their use. It is expensive water to be putting into a concrete truck and dumping in a hole. Dr. Pope asked what that does to the Town budget and operating expenses of the water system for the Town. He believes this is a huge amount of money taken out of the budget for the Town for maintenance and repair of the water system. Chairman Pack called the Town Treasurer to ask that question prior to the meeting. She was not available to answer but the Commissioners need that answer before making a decision. Mr. Holloway stated that part of the billing is to HRSD. Chairman Pack asked if the Town was separating the sewer part out of their bill. He asked if they were paying for the water and disposal of the water. Mr. Holloway said that they were on a septic tank and drain field. The property does have sewer availability now in place.

Vice Chairman Bryan asked if this well took care of all of their water needs. Mr. Holloway explained that they would continue to need Town water for the retail store. The volume for that is almost equivalent to the usage that the concrete plant is consuming. Mrs. Hillegass asked if there were separate meters and Mr. Holloway stated that there are. There are two separate accounts. Chairman Pack questioned the retail store using the same amount as the concrete business. Mr. Holloway said that the retail tap used to be where the concrete plant was. They have a large two inch line that they use for some of the concrete production and clean out operations. Dr. Pope asked if they would use the new well for clean out. Mr. Holloway said that some would be used for clean out but the way the process is they have settling ponds adjacent to the retail discharge for clean out. They would continue to use that. Chairman Pack stated that they had two meters both of which use a tremendous amount of water. One of which is strictly for producing concrete and is the one they want to disconnect from and use the well. Mr. Holloway stated that was correct.

The Town Attorney stated that this item would be advertised for a public hearing for next month.

Chairman Pack stated that he would like to know the budget consequences.

Vice Chairman Bryan wanted to know if there were any other situations like this in the Town. Mr. Settle stated that staff had researched it and cannot find where an industrial operation in the Town installed a well without approvals from the Town and then applied after-the-fact for a text amendment to accommodate that. There are other businesses that have wells but they are grandfathered.

The Commissioners were surprised that the state approved drawing that much water per month. Mr. Settle contacted the Department of Health two times with no response. He will reach out to them again.

Dr. Pope asked why they would not have contacted the Town during the permitting process.

The Town Attorney expressed concern about the permits being up for renewal from time to time. The overall volume of withdrawal has a potential impact on the Town's ability to draw water for residential purposes.

Mrs. Hillegass stated that she would like to know more from the health department and DEQ on this application. Mr. Settle stated that he would consult with both agencies again.

Mr. Davidson and other Commissioners also wanted the financial information from the Town Treasurer. The public hearing will be held at a different date and time to be determined.

Dr. Pope asked if the Town has the ability to impose fines for "after-the-fact" approvals. He believes people seem to be doing what they want to do and asking for forgiveness later. Does the Town have the ability to impose a fine when people are not following the guidelines? The Town Attorney stated that the Town does not have provisions in the code for fining people. Mr. Settle explained that Town staff is simply looking for compliance with the ordinance. Ultimately, staff does not want to punish property owners for improving their property in the long run. All of these applicants here tonight paid an application fee of \$400.00. Dr. Pope believes there should be consequences for these types of actions. Other Commissioners agreed that these types of infractions happen too much. The Town Attorney explained that the positive thing is that staff has caught these types of things. Staff is trying to enforce ordinances that are in affect. When people do not follow the ordinance, they are brought to task for it.

With no further questions or comments, Chairman Pack moved to:

Public Hearing – SUP, Comprehensive Plan Amendment & Official Zoning Map Amendment (Rezoning) – Lot 511, S. Church Street, Waterford at Battery Park, LLC c/o John Mamoudis, applicant.

The applicant proposes to construct fifteen (15) two-and-one-half (2.5) story multifamily buildings, each containing ten (10) condominium units. Each building will contain six (6) three (3) bedroom units, two (2) two (2) bedroom units and two (2) one (1) bedroom units. The proposed community will not be age-restricted, and will be privately-regulated and maintained by a condominium association. Amenities include onsite parking, pedestrian paths, private travel ways, pet stations, a clubhouse, a swimming pool, bicycle lockers, a pump station, stormwater retention, landscaping, and approximately five and one-half (5.5) acres of common open space. The proposed development would be accessed via two (2) existing entrances on Battery Park Rd, and one (1) on S Church St. The desired uses for the property would be classified as "multiple family residential dwellings (with no more than three (3) unrelated occupants per dwelling unit)" and "private community facilities, recreation areas, parking lots for recreational vehicles, and other common area improvements normally associated with multiple family residential developments (other than those requiring special use permits)." The only zoning district in which both of these uses are permissible is the Multifamily Residential (MFR) district, pursuant to Smithfield Zoning Ordinance (SZO) Sections 3.F.B.1 & 3.F.B.5. Because the property is currently zoned Highway Retail Commercial (HRC), it became apparent that an application to

amend the Town's Official Zoning Map (OZM) would be necessary (this is often referred to as a "rezoning"). 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 entirety of the property in question on the FLUM is designated as remaining "retail commercial" in the future, which accommodates the current zoning as HRC. Consequently, the proposed rezoning is in conflict with the FLUM, and a Comprehensive Plan Amendment is necessary. In acknowledgement of the importance of maintaining a commercial frontage on S Church St, the applicants have proposed amending the OZM and FLUM in such a manner as to preserve the current zoning and future land use (FLU) fronting on this right-of-way (ROW). This means that an approximately 3.9 acre commercial outparcel will be excluded from the rezoning and FLUM amendment and later subdivided from the remainder of the property. The proposed general development plan submitted for the rezoning of the property features no recreational vehicle (RV) parking pursuant to Smithfield Zoning Ordinance (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 (1) RV parking space per six (6) dwelling units. No recreational vehicle parking space shall front on a public street.* The applicants have chosen not to accommodate this standard in order to achieve the appropriate net developable acreage to necessitate 150 dwelling units. This means is that the applicants will have to apply for a Special Use Permit (SUP) for a waiver of parking and loading requirements. Several components of this application can be viewed in the pages immediately succeeding this staff report. At its Tuesday October 8th, 2019 meeting, the Planning Commission's discussion on this application resulted in the generation of the following list of items that the Planning Commission wanted to see in a revised application:

- a) Traffic count data collected from the intersection of Villa Dr. and Battery Park Rd to be included in the traffic impact assessment (TIA).
- b) Information from Isle of Wight County concerning how school buses might interact with this development, to include bus stop locations in or near the development.
- c) The locations of dumpsters and other solid waste receptacles, including other information indicating how solid waste generated from this development will be managed.
- d) Photographs and addresses of other developments executed by the developer, including ones using the new vinyl siding product that was shown to the Planning Commission on Tuesday night.
- e) Information on how this proposed development may react with a road widening project on either Battery Park Rd or S Church St, and how such projects and other similar transportation projects may impact this development's accessibility in the future.
- f) An alteration of the exterior design of the buildings proposed so that there is clarity as to which façade of the building is the primary façade.

- g) Clarification on pedestrian travel from the parking lot to the buildings.
- h) An action plan or explanation concerning procedure for if or when a firetruck or other large vehicle blocks one of the development's entrances or travel ways.
- i) More information concerning the proposed access improvements on Battery Park Rd.
- j) Confirmation from Isle of Wight County Schools that their response to the application took other and future developments elsewhere in the County into consideration.
- k) Illustrations and positioning of signage which may be used to identify the development, particularly the main entrance of the development.
- l) Information concerning how the bike trail will interact with the proposed development.
- m) Illustrations and positioning of all proposed fencing in the development, and whether or not the applicants intend to offer any RV parking at all (i.e. would they consider a waiver of part of, if not all, of the RV parking).
- n) Indication from the applicants as to whether or not they would consider an additional means of access to and from the development and resulting commercial outparcels from S Church St, lining up with Mercer St.
- o) A presentation on the data gathered from the applicants' traffic count of the intersection of the drive located in between Dollar General and Royal Farms with the intersection of S Church St & Williams St- specifically how this data factors into the comments generated by the Virginia Department of Transportation (VDOT).
- p) Any effort by the applicants to lessen this application's potential burden on Battery Park Rd traffic would be essential in the Planning Commission's consideration.

The applicant has provided responses to all of the points on this list, with attachments (see 2019-11-01 Amendments). Additionally, this application has resulted in requests for comments from several agencies and entities outside of the Smithfield Community Development & Planning Department. Responses that have been included or updated since the previous Planning Commission meeting have been marked with an “*”:

Draper Aden Associates, Inc. Enclosure 1

Isle of Wight County Planning & Zoning Enclosure 2

*Isle of Wight County Schools (IWCS) Enclosure 3

*Virginia Department of Historic Resources (DHR) Enclosure 4

VDOT Enclosure 5

Isle of Wight County Stormwater Division Enclosure 6

Smithfield Volunteer Fire Department (SVFD) Enclosure 7

Smithfield Police Department (SPD) Enclosure 8

*Isle of Wight County Emergency Services Enclosure 9

*The Villas at Smithfield Enclosure 10

Pursuant to SZO Section 4.E.4, the Planning Commission has until Saturday, January 16th, 2019 to decide on this application before it is automatically forwarded to the Town Council with a recommendation for approval.

Chairman Pack explained that there are three parts to this application. The first is for a comprehensive plan amendment to the future land use map changing the property from retail commercial to multifamily residential/retirement, the second is for a rezoning to Multifamily Residential and the other is a special use permit to not require the RV parking that is required by code.

Mrs. Beverly Walkup, representing the applicant, addressed the Commissioners about this application. She explained that Mr. Mamoudis is the applicant, developer, as well as the contract purchaser of this property. Land Planning Solutions was present also as well as Jeff Wells who is the architect that designed the product. She gave a PowerPoint presentation to the Planning Commission showing the project. There will be a commercial parcel of 3.9 acres remaining if the 18.3 acres is rezoned for the proposed condominium development. It will target the affordable housing market. Improvements in the plan since the last meeting include: a bus shelter for students, primary entrance improvements, and dumpster locations and mailboxes. The application also includes a waiver request from SZO Section 3.F.I.2.B of the Multi-Family Residential regulations which requires twenty-five designated RV parking spaces. The developer does not believe that RV parking is compatible to the lifestyle which is being offered in the proposed unique, residential condominium development. It is designed to promote elements of smart growth and they do not believe it meets the targeted demographic for smart growth. Smart growth is intended to foster car-free or car-light lifestyles. Adding more vehicles and parking has the potential to encourage storage of larger, bulkier vehicles that could become a nuisance or an eyesore. The developer is seeking relief from providing the designated RV parking. Mrs. Walkup explained that sidewalks have been added to show the pathways to the entrances to each building from each parking area.

Mr. Jeff Wells, the architect with Coastal Design Group, spoke about the materials and details of the plans for the project. He presented samples for the siding and explained that there would be about four or five different colors used throughout the site. They are all neutral colors.

The pathways lead to each of the entrances. Landscaping would highlight these pathways. Mailboxes, trash removal, and common areas will all be designed into the site plan.

Mrs. Hillegass stated that the siding product says that it is recyclable. She wanted to know if it was a recycled product. Mr. Wells explained that it is a polymer product but it is not an extruded vinyl product. It is impervious to UV so that the colors do not fade.

Mrs. Walkup stated that a list of locations for this product is included in case anyone wants to see the actual product on buildings.

Chairman Pack asked about the height of the buildings. He stated that he thought the maximum height for buildings in town is 35 feet. Mr. Wells stated that they would exceed the 35 feet to the middle of the gable. Each floor has a 9 foot ceiling plus a 11 3/8" framing member so it is about 10 feet floor to floor. Three floors would make it 30 feet then they have the roof lines of 6/12 and 7/12 pitch which puts the building about 40 feet in height on the larger gables. He explained that from the ground the units only appear to be two-stories with the third floor under the roof. He planned the roof lines to be different heights. Mr. Settle explained that the code says 40 feet is the maximum height. Mr. Wells stated that some areas are 45 feet to the top of the cupola. Mrs. Walkup indicated that an additional waiver may be needed in the future to reach the desired building height.

Mrs. Walkup explained that this product was designed specifically for Smithfield. Mr. Wells came in and took a look at the historical elements in the downtown area. He tried to incorporate that into the product. They have met with the property owners of The Villas and had follow-up communications with them. They are in favor of residential zoning for this location. They believe commercial zoning cannot be supported there. Their primary concern was the responsibility and maintenance of the existing stormwater management facilities. It has been addressed. Roughly 66% of the stormwater ponds were reserved for the rest of this development aside from The Villas. It was designed when The Villas were built. Any development on this site cannot exceed that 66% of impervious coverage or something additional would have to be done on the site. There is an area designated for it in case that happens. As designed currently, it is under the 66%. If approved, it will go out for site plan review and Isle of Wight County will be required to enforce that criteria. There was also a concern about residents being able to get in and out of their entrance. Traffic conditions are always a concern for every development. Based on the location of this new development and projected trip generation and distribution, it is anticipated that the majority of traffic would be headed toward S. Church Street and away from The Villas. Separation distance was also a concern. They wanted to make sure that the structures were not any closer to the pond than those in the existing Villas. The buildings were moved away from the edge of the pond as well as the property line. There is a total of 110 feet between buildings now. At the last meeting, there were questions about school capacity, bus stop pickups, stormwater, and traffic. The schools sent a follow-up email confirming that there is adequate capacity to accommodate the 58 children expected. Bus pickup will be along Battery Park Road. They will not go into the development. Stormwater concerns will be addressed with staff, the

county staff, as well as the Department of Environmental Quality. DEQ will hold any developer to the criteria at site plan review. Traffic concerns were addressed and satisfied through communications with VDOT. Mrs. Walkup pointed out the strengths of the application. Under the Comprehensive Plan, the property is adjacent to and in close proximity to major transportation routes and existing sewer and water facilities. It incorporates a mix of retail and residential uses on the same parcel. It provides a layer of transition between the existing commercial uses and the existing residential. It offers compact, affordable development reflective of that which has emerged as a new trend since the housing crash. It is more attributable to a buyer's market. This development is the last large chunk of the original tract and leaves 4 acres for commercial. There is high-quality design incorporating an additional housing lifestyle that complement surrounding choices. It consists of a product that has been architecturally designed for Smithfield. It respects, preserves and protects Smithfield's ambiance and historic architectural elements. It offers a compatible lifestyle to the adjacent Villas. It also incorporates a different niche that creates and achieves a unique sense of community. A previous market analysis in the county has shown that they have more commercially zoned property than its market can support. Residential growth is necessary to attract a more robust commercial market and to stabilize the existing market. Commercial sales tax supports the schools. The developer believes this project will have an overall positive impact on the Town with an approximate \$40,000,000.00 investment that will generate significant tax revenue including real estate, personal property, business license fees and will create an additional customer base for the Town's water system.

Mr. Mamoudis addressed the Commissioners regarding the proposed project. He stated that he had been building since 1981. He presented eight or nine examples that are relevant to his history, quality, and addressed the polymer siding that they use. He has the same siding on his personal home. He gave examples of the difference in longevity of vinyl siding, PVC, wood siding, and the polymer siding they are proposing for this development. The polymer siding is maintenance free unlike other types of siding.

Chairman Pack opened the public hearing. There was one person signed up; Ms. Kelley Holland.

Ms. Holland represents The Villas of Smithfield and their homeowner's association. There is a development and maintenance agreement dated August 5th, 2004. It is recorded with the Isle of Wight County Clerk's office. It conveys to The Villas of Smithfield and any owner of residual Parcel "A" a mutual non-exclusive perpetual stormwater management easement with onsite stormwater management facilities located on the property owned by The Villas of Smithfield and adjacent to residual Parcel "A." The maintenance agreement further provides for reimbursement to The Villas of Smithfield for 66.2 % of its costs for adequate maintenance of the stormwater management facilities from which residual Parcel "A" receives a benefit. The Villas of Smithfield has and continues to have a good working relationship with the developer and its agents and does not generally oppose the rezoning of residual Parcel "A" for residential use. They do have some concerns regarding impacts of the potential development of residual

Parcel "A." One concern is traffic and the potential increase of traffic remains a concern. Use and maintenance of the stormwater management facilities located on property owned by The Villas of Smithfield is also a concern. More specifically, The Villas of Smithfield would like further information, analyses, and updated calculations regarding stormwater and drainage for residual Parcel "A" to ensure that the stormwater management facilities do not become overburdened and remain sufficient to service both parcels if the rezoning is approved. Additionally, they would like further clarity as to the applicable permitting requirements for potential construction activities and applicable stormwater management technical criteria which would, most likely, require confirmation from the Department of Environmental Quality. The Villas of Smithfield does not generally oppose the request for rezoning of residual Parcel "A." They appreciate the good working relationship that they have shared with the developer and their agents. The Villas of Smithfield would like their concerns more specifically addressed moving forward.

Chairman Pack asked if anyone else would like to speak for the public hearing.

Mr. Warren Sachs lives at 125 86th Street in Virginia Beach. He is the owner of the property presently. He explained that, when he acquired the property, he planned to build a commercial shopping center. The comment that he kept hearing was that there are not enough rooftops in this demographic area to justify this kind of development. They spoke to Target, Panera, and many others. The same comment kept coming back. He then came back to the Town with an apartment builder. Staff said that they would like to see a development where the units were owned individually. The apartment people went away and then partnered with Mr. John Mamoudis because they knew he built a quality product. They tried to give the Town something they said they wanted which was a transitional plan within the master plan. There has been a lot of talk about the stormwater pond. They will own the residual commercial that will be Highway Retail Commercial along S. Church Street. He stated that they would not sign any agreement with anyone that cuts them out of the pond so they cannot develop the site. We have already talked to The Villas and we all agree that the stormwater management document will guarantee the 66% because it benefits us all. They do not want to have the commercial parcel left with nowhere to drain the stormwater. He further explained that they have had an excellent relationship with The Villas in maintaining the pond in the time they have owned it.

Mrs. Eileen Abbott resides at 310 Ridgeland Drive in Smithfield. She was speaking on behalf of her mother who lives at 1300 S. Church Street. She is concerned about traffic. She would like to have a copy of the reports from VDOT. They are not necessarily opposed to the project but would like to be more informed as to what they can expect. The traffic is bad right now because of Royal Farms and Dollar General. She hopes that something will be put into place there. They cannot leave their property without going around the block to the stoplight. They would like to see the studies and data that have been collected and be included in the data going forward.

Chairman Pack asked Mr. Settle if he would provide Mrs. Abbott with the information she is requesting. He stated that everything available related to the application has been made publicly available. He will obtain her email address and send it to her directly.

Mr. John Roscoe lives at 228 Villa Drive. He spoke to the Commissioners about the time period for construction and how that would affect everything and might need to be considered.

Chairman Pack closed the public hearing since there was no one else who wanted to speak. He asked for comments from the Planning Commissioners. The applicants came back up to the podium for questions.

Mr. Mamoudis addressed the question from Mr. Roscoe about the time period for construction. He tries to streamline the process as much as possible. The timing also depends on the market. They think the development will take two years but could go longer. The magnitude will lessen as the project progresses. Mr. Mamoudis assured everyone that he would do everything he could to make it less impactful as possible.

Dr. Pope asked the landowner, Mr. Sachs, about the BMP. He wanted to make sure that he understood correctly that the 66% includes the commercial parcels on S. Church Street along with this residential development and The Villas of Smithfield which already exists. Mr. Sachs stated that everything will be in the 66% which includes The Villas, the condominium development, the commercial parcel, Royal Farms, and the Dollar General. If something happens and the DEQ tells us we will have to retain more water on site, there are things we can do to meet those requirements. Mr. Scott Stamm with Land Planning Solutions addressed the Commissioners. He believes there has been some confusion over the 66%. Warren Sachs and KLS Battery Park Development Group, LLC has a responsibility for 66% of the BMP to maintain it. The impervious coverage allowable under the original master plan is 68%. He did not want there to be any confusion on it. There is actually more impervious area allowed than the 66%. Royal Farms is 61% impervious coverage and Dollar General is 59% impervious. They are currently proposing a development that is 43% impervious which leaves the commercial property a considerable amount of impervious area still left to meet the overall 66% impervious development criteria. Dr. Pope stated that he did not want to see the commercial parcel with an 8 foot deep BMP on S. Church Street. He wants to make sure that is not going to happen with future development of the commercial property. Mr. Stamm stated that, as things are now, the commercial property could be developed at 75% and still meet the requirement.

Mr. Stamm also pulled up the traffic studies to address Mrs. Abbott's concerns. There would be approximately 26 vehicles leaving Williams Street in the morning at peak hours. The p.m. traffic is only 15 cars. Existing conditions are 1,200 vehicle trips in the evening and 651 in the morning regardless of the new development. Those are the current numbers. The development is a very small portion of that.

Chairman Pack asked about the proposed proffer conditions dated August 1st, 2019. The last sentence of item 2 states: the applicant reserves the right to make changes in the building

design based on market conditions. It was one of the concerns and you changed it to include “subject to the Town Zoning Administrator.” Mrs. Walkup stated that was correct. The Zoning Administrator for the town would make the call as to whether it has to come back to the Planning Commission or whether it can be administratively approved. Chairman Pack explained that he had not seen the amended proffers only the notes for them. He just wanted to make it clear.

Vice Chairman Bryan asked Mr. Stamm about the development narrative. There were comments about the traffic on page 14. It says that the analysis indicates that the proposed commercial development would generate approximately 28 and 114 trips during the a.m. and p.m. peak hours respectively. He asked for an explanation because if 100 cars leave in the morning then 100 cars have to come back in the afternoon. Mr. Stamm stated that is not typically the way it works. He did not do the traffic engineering report. He stated that the numbers he quoted earlier were only for the Williams Street intersection. Dr. Pope stated that those numbers were for the 3.9 acre commercial portion if it was developed. Mr. Stamm stated that the a.m. peak is not the same for the p.m. return. The generation rates are accepted by VDOT and generally used in all traffic studies that they do. The two hours that produce the highest numbers are considered the peak hours.

Vice Chairman Bryan referred to page 7 where the smart growth concept is intended to foster car-free and car-light lifestyles but the development has 350 parking spaces. Mrs. Walkup stated that parking regulations are dictated by the Town’s regulations. One element of smart growth is being a walkable community and not having to get into your car and go everywhere. It is what they mean by car-light. Someone does not have to get into their car to go to Royal Farms or Dollar General. You can walk to those businesses. Mr. Davidson disagreed with the concept that people will walk where they need to go since there are not enough sidewalks currently. He questioned the statement that most people would enter and exit from S. Church Street and asked how they came to that determination. Mrs. Walkup stated that people would go in the direction of S. Church Street as opposed to going in the other direction. It came from the Traffic Impact Analysis and based on the methodology for traffic distribution that was utilized. The Traffic Impact Analysis report was prepared with the technical criteria required by VDOT. Mr. Davidson reminded Mrs. Walkup that the person who did the study mentioned at the last meeting that she did not see any significant backups on Battery Park Road. He drives John Rolfe every day and traffic is often backed up from S. Church Street past John Rolfe Drive without adding another 350 people. Dr. Pope asked Mr. Settle if the Town had any trip counts going down Battery Park Road on any given day. Mr. Settle stated that he would have to ask the Town Engineer, and that he would furnish this information to the applicants and the Planning Commission, if the Town possessed it. Mr. Stamm stated that the numbers are published by VDOT and are taken into account for this study. The report estimates 770 cars in the morning peak hours going in both directions and 1154 in the evening peak hours. In general, the 150 units would generate 1,500 vehicle trips for a full 24 hour period.

Dr. Pope questioned the siding and if it would all be horizontal or would be mixed up. Mr. Mamoudis explained that the drawings are 99% accurate. Those details have not been

completely decided but it will be mixed up with different styles of siding to make the façades different. Mrs. Hillegass liked the façades and felt it had a lot of visual interest. Vice Chairman Bryan stated that he did not have a problem with the product itself. He is concerned about the density.

Vice Chairman Bryan asked the applicant about access for emergency vehicles. Mr. Stamm stated that they use a program called Auto Turn that they run on the site. They use the size of a ladder truck since it is the largest vehicle expected to enter the development in case of a fire. The ladder truck can traverse the entire site as it is shown now. It does not impede any of the parking spaces. The local fire department had comments and they made the revisions to accommodate their comments. They changed some radiuses and moved some parking around. They made some of the turns a little wider with bigger radiuses. Confirmation was needed from the fire department as to whether or not the applicants' changes satisfied their comments.

Dr. Pope stated that the school system has said that they will not enter private roads. They will not take their school buses into the development.

Mr. Torrey asked Mr. Mamoudis what his confidence level is in selling all the units in a two year timeline. He wanted to know what the demand was for this product in Smithfield. Mr. Mamoudis stated that they would build as they go. He hopes to be done with the project in two years but that might take longer. This product is pretty recession proof in the \$225,000.00 price range. In his experience, this product moves pretty well. He stated that they had done their research. They have seen the absorption rate of other projects but none are in this price point. The development will attract the police officer and the single teacher. Mrs. Hillegass believes it is a needed price point for the Town. Mr. Torrey stated that everyone seems okay with the product but not the density. Mr. Mamoudis said that, initially, the property would hold 170 units. They settled for 150 units. The property is almost 18 acres in total not 2 acres. There is ample room with 4 acres of open space. He estimates a tax base in the \$40,000,000.00 range when all is said and done on a piece of property that has been sitting there for years.

Chairman Pack asked Mr. Mamoudis about the \$225,000.00 price point being a nice price point for an investor as well. He asked if there was a policy in place as far as how many non-owner occupied units will be available. Mr. Mamoudis stated that he did not but FHA/VA financing has a maximum rental requirement. The HOA condominium documents could limit that. He stated that they are not looking to do rentals. They will have to follow the guidelines from the financial institutions. It is usually a percentage of the total units. He said he would look into it further. Dr. Pope feels that 100% owner-occupied would make the project more palatable. He would much rather see a residential community on the property than a commercial community. He had no objections to approving a special use permit about the RV parking. He does not mind eliminating that. What bothers him is the traffic situation around the property. He is not opposed to the condominiums or the 150 units. He prefers single family homes located there but prefers the condominium proposal compared to a shopping/commercial area in that

location. Mrs. Hillegass agreed. She prefers to eliminate the RV parking because she thinks it would be unsightly in the entrance corridor.

Chairman Pack believes everyone recognizes that there is an issue with traffic in that area. The last sentence of the VDOT letter states that “it appears that there is no significant degradation of the transportation network.” He feels that the Commissioners have to rely on the experts.

Chairman Pack asked if there were any additional questions for the applicant. The Town Attorney reminded everyone that if it is not in writing it is not enforceable. If there is anything that has been said that they are expecting the applicant to live by and that they will be bound by then it needs to be in writing. It would need to be presented to the Planning Commission as an amendment. You are not under any obligation to vote on this tonight but you can. If the applicant says that they will limit occupancy to owner-occupied, or impose any other leasing restrictions, it should be in writing or they do not have to do it. Mr. Mamoudis stated that he is willing to put things in writing. He would prefer a vote tonight if possible. If the general concept is approved, he can move forward with the details. He is willing to do that. Some of the items have just popped up tonight. He has already been working on the concept for a year. They have spent a lot of time with the whole process. They presented last month also. They have been open and will continue to do so.

The Town Attorney explained that if it gets voted on next month it would be as old business. The public hearing is complete.

Mrs. Hillegass stated that there are three items for action: the rezoning, the special use permit to eliminate the RV storage, and the Comprehensive Plan amendment. Mr. Settle asked for clarity from the Planning Commissioner. He has noted one item that the Commissioners want to see by the next meeting which is some assurance from the applicants on leasing restrictions. The Commissioners stated that all other questions had been addressed. Dr. Pope said that he would like to table it until the next meeting. He would like to get more feedback from citizens and wait for documentation about the ownership status.

The Town Attorney explained that the Planning Commission has 66 days from tonight to make a decision or it will be automatically forwarded to the Town Council and deemed to be a favorable recommendation. The Commissioners are not required to vote tonight.

Dr. Pope made a motion to recommend the special use permit to eliminate the RV parking area. Mr. Swecker seconded the motion.

After an explanation from the Town Attorney, Dr. Pope withdrew his motion and made a new motion to table the special use permit, the rezoning, and the Comprehensive Plan amendment until the next meeting. Mr. Davidson seconded the motion. Chairman Pack asked if there was any further discussion. Vice Chairman Bryan asked if there was anything else that the Commissioners would like to see in writing as an amendment to the proffered conditions other than the ownership status. Hearing none, Chairman Pack called for the vote.

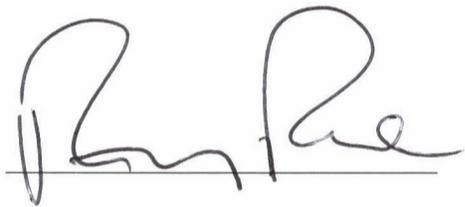
On call for the vote, seven members were present. Mr. Davidson voted aye, Mrs. Hillegass voted aye, Mr. Swecker voted aye, Mr. Torrey voted aye, Dr. Pope voted aye, Vice Chairman Bryan voted aye, and Chairman Pack voted aye. There were no votes against the motion. The motion passed.

Approval of the Tuesday, October 8th, 2019 Meeting Minutes.

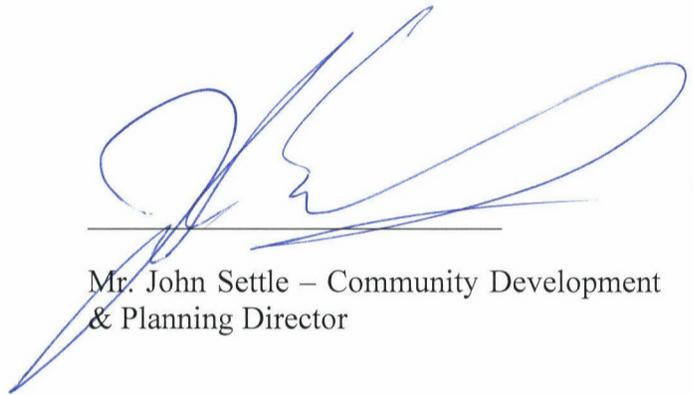
The Town Attorney recommended the minutes be approved as presented. Mrs. Hillegass made the motion to approve the minutes. Vice Chairman Bryan seconded the motion. Chairman Pack called for the vote.

On call for the vote, seven members were present. Mr. Davidson voted aye, Mrs. Hillegass voted aye, Mr. Swecker voted aye, Mr. Torrey voted aye, Dr. Pope 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 9:30 p.m.



Mr. Randy Pack - Chairman



Mr. John Settle – Community Development
& Planning Director