

The Smithfield Planning Commission held its regular meeting on Tuesday, January 12th, 2016. The meeting was called to order at 6:30 p.m. Members present were Mr. Bill Davidson, Chairman; Ms. Julia Hillegass, Vice Chair; Mr. Charles Bryan, Mr. Randy Pack, Mr. Mike Swecker, Dr. Thomas Pope, and Mr. Michael Torrey. The staff members present were Mr. William H. Riddick III, Town Attorney and Mr. William G. Saunders IV, Planning and Zoning Administrator. There were eight (8) citizens present.

Chairman Davidson – I would like to welcome everyone to the January 12th, 2016 meeting of the Smithfield Planning Commission. If everyone will please stand, we will say the Pledge of Allegiance.

Everyone present stood and recited the Pledge of Allegiance.

Chairman Davidson – The first item tonight is the Planning and Zoning Administrator's Activity Report.

Planning and Zoning Administrator – Thank you, Mr. Chairman. I will just give you a quick update from the last Town Council meeting as it relates to the Cary & Main (Pierceville) application. The future land use change that was proposed by the developer was denied by Town Council. Subsequently, the applicant was allowed to withdraw their application for the rezoning without prejudice. It basically means that the one year moratorium on a similar application by that applicant or another applicant would not be in play. Also, as some of you may have noticed, O'Reilly Auto Parts is now open. They have a temporary Certificate of Occupancy with some conditional items. They have cleared all of them up. They will have their permanent Certificate of Occupancy soon. That is all I have tonight. Thank you.

Chairman Davidson – Thank you Mr. Saunders. Next we have Upcoming Meetings and Activities. On January 15th and the 18th, town offices will be closed in observance of Lee/Jackson Day and Martin Luther King Day. On January 19th at 6:30 p.m., the Board of Historic and Architectural Review will meet. At 7:30 p.m. on January 19th, the Board of Zoning Appeals meeting has been cancelled. On January 25th at 4:00 p.m., we will have the Town Council Committee meetings. The same thing for January 26th at 4:00 p.m. On February 2nd at 7:30 p.m., the Town Council will meet. The next Planning Commission meeting is on February 9th at 6:30 p.m. Our next item is Public

Comments. The public is invited to speak on anything other than a scheduled public hearing. We have two tonight. Is there anyone signed up to speak?

Planning and Zoning Administrator – There is no one signed up.

Chairman Davidson – Would anyone like to speak? Hearing none, we will close public comments and move on to Planning Commission Comments.

Mr. Pack – I have one comment. Dr. Cook and I were tasked with reappointing one new member to Planning Commission and two new members to Board of Historic and Architectural Review. Mr. Davidson was reappointed to the Planning Commission for another four year term beginning tonight. Mr. Chris Torre was appointed to BHAR. I just wanted to make everyone aware of what is going on with that. We are glad to have Mr. Davidson for another four years.

Mr. Davidson – Thank you, Mr. Pack. Are there any other comments? Hearing none, we will move to Election of Officers. I will turn that over to our Town Attorney, Mr. Riddick.

Town Attorney – This is the beginning of the new term. Mr. Davidson has been reappointed so he will be eligible but the floor is now open for nominations for Chairman of the Planning Commission.

Mr. Swecker – I would like to nominate Mr. Bill Davidson for Chairman of the Planning Commission for 2016.

Town Attorney – Mr. Davidson has been nominated. Is there a second?

Mr. Bryan – Second.

Town Attorney – Are there any other nominations?

Chairman Davidson – I would like to nominate Mr. Charles Bryan.

Town Attorney – Mr. Charles Bryan has been nominated. Is there a second?

Dr. Pope – Second.

Town Attorney – Are there any other nominations? Hearing none, the nominations are closed. All those in favor of Mr. Bill Davidson for Chairman please raise your hand and say aye. There are five ayes. All those in favor of Mr. Charles Bryan for Chairman please raise your hand and say aye. There are two ayes. Mr. Davidson has been elected to another term as the Chairman. The floor is now open for nominations for Vice Chairman.

Mr. Swecker – I would like to nominate Ms. Julia Hillegass for Vice Chair for 2016.

Mr. Pack – Second.

Town Attorney – Are there any other nominations?

Chairman Davidson – I would like to nominate Mr. Charles Bryan.

Town Attorney – Is there a second?

Dr. Pope – Second.

Town Attorney – Are there any other nominations? Hearing none, the floor is closed for nominations. All those in favor of Ms. Julia Hillegass for Vice Chair please raise your hand. There are three. All those in favor of Mr. Charles Bryan please raise your hand. There are three. We are missing somebody.

Ms. Hillegass – I did not vote.

Town Attorney – There is a tie. We will vote again. All those in favor of Ms. Julia Hillegass please raise your hand. There are three. All those in favor of Mr. Charles Bryan please raise your hand. There are four. Mr. Charles Bryan has been elected as Vice Chairman. Mr. Davidson is the Chairman and Mr. Bryan is the Vice Chairman for the next term of the Planning Commission. It is your meeting again Mr. Chairman.

Chairman Davidson – Our next item is a Public Hearing: Special Use Permit – Columbarium – Clay Griffin, Trinity Methodist Church, applicants. Could we have a staff report please?

Planning and Zoning Administrator – Thank you, Mr. Chairman. As you just stated, you have before you a special use permit application from Trinity Methodist Church. It is located at 201 Cedar Street for a columbarium. They are looking to expand their services for their membership with a columbarium as they do not have room for a cemetery on the property. They would like to build the columbarium in phases. They would like to have approval for the first few phases under this permit. Ultimately under this permit, they would like to have approval for a maximum of two hundred urns although, at first, the wall would probably only be large enough to accommodate fifty. As you can see, there is a garden area within the enclosed wall. There are several benches for seating. The entire columbarium area is enclosed with a brick wall which is gated and would be accessible basically from dawn to dusk. You would not really see the

columbarium from the street and maybe not even see the folks coming and going out of there. The impact from the street will not be very great. As you can see in your picture of the street views, there is a wooden enclosure that sort of looks like a privacy fence behind the church. It is where the air conditioning units are now. Your diagram encompasses that area as well as that grassy area between the sidewalk and the back of that section of the building that you can see there. They have not determined which of the companies they would go with but I did enclose one of the examples of what the columbarium wall may look like from one of the vendors in your packet. I am also passing around some other materials from other vendors. Again, this would not be visible from the street; only inside of the wall. That is the bulk of it. The applicant is here tonight to speak on it and maybe fill in some of the gaps for you.

Chairman Davidson – Thank you. Mr. Griffin, would you go to the podium and please give us your name and address.

Mr. Griffin – I live at 16142 Griffin Lane out by Hardy Elementary. I have been an Isle of Wight County resident for fifty-seven years. I have been a member at Trinity for almost that many. Mr. Saunders pretty much covered everything, in detail, that we are trying to do at the church. As a congregation, we feel that a lot of things are leaning this way. We feel that we have a lot of people that are very interested within our congregation right now. Some of you may not be very familiar with a columbarium. It was kind of new to us when we started talking about this about two years ago. A niche is a cylinder that is about six inches in diameter. There is a faceplate that is about fifteen inches which covers four cylinders. You are looking at a wall. We are looking to get approval for about two hundred. Hopefully, it will take us a long time to fill that up. We feel it is in our best interest to start off small but have the approval to move forward and to grow within the drawing that you have seen. There will not be any corners cut. Trust me, if my name is on it, we are going to do it right. I have been here too long for that not to happen. Everything will match the current project and construction at the church. It is not a profit making situation. It is basically a maintenance fee. When you buy the niche, you are paying for the maintenance to upkeep it. We are going to keep this looking first class because we know we have residents and neighbors. Trust me, if I were in that position, it is how I would want it. It is going to probably be handled by a professional

landscape company. It will be first class. I am open to any questions if anybody has any; if I can answer them. I am not the expert.

Mr. Pack – I have one question. We are looking at two views here. In one you have the AC units, as built, with the wood fence around it. Then we have the drawing you provided to us. It looks in the drawing that you are replacing the wood fence with brick.

Mr. Griffin – The wooden fence will come down and it will be complete brick. All of the landscaping that is there currently, by the ramp door, will be removed. We will start with a smaller landscape so that the walls can really do what they need to do. We will have to have a couple of places in the wall for ventilation for the AC units. We have already spoken to our HVAC people on what we need as far as the standards but it will all be brick.

Mr. Pack – Very good. That will be a nice improvement. Thank you.

Mr. Griffin – It will be a great improvement for that area there.

Chairman Davidson – Are you saying that the ramp would come down?

Mr. Griffin – No, the ramp will stay but there is landscaping between the ramp and where the new brick wall will be. It will be cleaned up completely to standards. We will do what we need to do.

Chairman Davidson – Will the wall be on the street side of the ramp?

Mr. Griffin – No sir. The ramp is next to the sidewalk. The wall will be to the air condition side of the ramp. We just re-did the fence. We had an Eagle Scout that re-did it for us. It was a big improvement. This will just take it to the next level.

Chairman Davidson – Are there any more questions for the applicant?

Vice Chairman Bryan – Is all of the parking lot church property?

Mr. Griffin – Yes. We are bringing the brick wall down the parking lot. It is right next to the sidewalk.

Planning and Zoning Administrator – I would like to mention one more thing, Mr. Chairman. This is slated for next week's agenda for the Board of Historic and Architectural Review meeting. It will be going before them next Tuesday night.

Chairman Davidson – That was another question I had. Thank you, Mr. Griffin.
We will now go to the public hearing portion and open that. Would anyone like to speak on this issue?

Mr. Mike Willard – I am actually a resident of Portsmouth. My interest here tonight is that I own some property next door to the church. The only exposure I had for this was what was in the newspaper. It used the term ‘across the street.’ I guess that it will only be accessible from the parking lot. It will actually be behind the church. That was my only question. The Smithfield Times article used the term ‘across the street’ several times and I think we were confused about that. Thank you.

Vice Chairman Bryan – It confused me also.

Chairman Davidson – Would anyone else like to speak on this matter? Hearing none, the public hearing is closed and we will move to consideration.

Mr. Pack – Mr. Chairman, I would like to make a motion that we recommend that this be approved as presented.

Mr. Swecker – Second.

Chairman Davidson – A motion has been made and properly seconded that we recommend approval. All those in favor say aye, opposed say nay.

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

Chairman Davidson – Our next item is a Public Hearing: Special Sign Exception – Detached Sign with Individual Tenant Panels – Christa Pickrell, Cardinal Sign Corp., applicants. Could we have a staff report please?

Planning and Zoning Administrator – Yes sir, Mr. Chairman. This is an interesting application. As you have seen in your staff report, multiple businesses in the same building or shopping centers up to twenty four thousand nine hundred and ninety nine (24,999) square feet can have detached signs with individual tenants listed. Shopping centers with twenty five thousand (25,000) square feet or greater are not supposed to have anything but the name of the shopping center on their sign. Oddly enough, the Cypress Run Plaza plans show it at exactly twenty five thousand (25,000) square feet.

You will not see that difference driving down the road. You would not be able to tell. Seeing the plans and seeing the ordinance, they are technically prohibited from having a sign with multiple tenant listings on it. So they are going for a special sign exception. I put several of the pertinent sections of the ordinance into your staff report. Basically, they want you to acknowledge that they are, in your eyes, close enough to 24,999 square feet to consider them having signage with multiple tenants if you see it appropriate. You can see a rendering in your packet. This is not the first rendering. They have made several changes to this. The first couple, we would have recommended denial for several reasons. This one is one that, I think, matches the colors and the materials of the shopping center pretty well. They would have preferred to have had a different color scheme but the white lettering color scheme in the shopping center is reflected here. They could not do a black background because it would have looked inappropriate. They went with a light gray. There are rooflines on the buildings that are light gray. They have been able to come up with a plan where the brick, background color, and the lettering color all, to some degree, tie into the shopping center which was one of the considerations in the Entrance Corridor Overlay District. As far as the design, staff does not have heartburn with it. What is before you tonight is whether or not you will accept allowing them to have a multi-tenant sign with the shopping center that is technically too large by ordinance to have.

Chairman Davidson – Is the applicant here tonight? Please give your name and address please.

Ms. Christa Pickrell – I am with Cardinal Signs. We are located at 2629 Dean Drive in Virginia Beach. This is for Cypress Run Plaza at 13400 Bennis Church Boulevard. Our client is actually Pembroke Commercial Realty. We have been dealing with them for a couple of months now trying to figure out what we can do here. We did start with a black background. It has to be an opaque background. Only the letters can shine through but the black was terrible. While talking to Mr. Saunders, we decided to go with a light gray but not too light. During the day, you would not be able to read the white letters. We went with sort of a medium gray which kind of matches the metal roofing around the shopping center and the white letters on the shopping center. This is revision #8 that we have gone through. As Mr. Saunders has discussed, we are talking

about one square foot of shopping center area to determine if we can have tenant panels or not. So there we are.

Chairman Davidson – Are there any questions for the applicant?

Vice Chairman Bryan – I have a comment, if I may, Mr. Chairman. I had to go by there twice to look at this site. Looking at the map, it stated that there was a sign already out there. The first time I went, I did not really notice it. It is a little sign and really does not tell you anything about the mall. I think this would be a major improvement to that. Also, in the spirit of being business friendly, I think this would be appropriate. If you found another engineering firm or someone to go there and measure that facility, they may come up with 25,002 square feet; who knows. I think we should approve this.

Chairman Davidson – We will move to the public hearing. Would anyone like to speak on this matter? Hearing none, the public hearing is closed and we will have consideration.

Mr. Torrey – Will this sign be internally illuminated?

Ms. Pickrell – Yes sir.

Mr. Torrey – Pretty much, we will just see the white lettering. It will not be big and bright.

Ms. Pickrell – No, you will only see the letters. We were made aware that it had to be an opaque background.

Mr. Torrey – It is a big shopping center that is pretty far off of the road. It is not easy to tell what is there if you are not from here. I do not see any problem with listing the businesses that are there.

Mr. Swecker – I put a motion on the floor that we accept the sign as presented.

Town Attorney – You are recommending it to Town Council.

Planning and Zoning Administrator – No, this is just here. It is their vote.

Town Attorney – Okay, you are right.

Planning and Zoning Administrator – It is not a recommendation. You all decide this.

Chairman Davidson – We have a motion to allow this special sign exception.

Ms. Hillegass – Second.

Dr. Pope – Do we have to make an exception because it is seventeen feet high and the ordinance is fifteen?

Planning and Zoning Administrator – I do not see where it is seventeen feet high.

Dr. Pope – It is three feet on the brick, twelve feet on the sign, and four foot and twenty inches on the roof cap.

Mr. Pack – The sign is ten feet high.

Dr. Pope – I am sorry. I read it as twelve foot, zero inches.

Planning and Zoning Administrator – That is a four inch and then a twenty inch.

Dr. Pope – I am sorry. I read it as twelve foot, zero inches.

Planning and Zoning Administrator – I am glad you said it. Fifteen is the maximum for a sign.

Mr. Pack – If I could Mr. Swecker, would you consider adding to your motion that staff recommends that the future individual tenant panel changes on the detached sign maintain the same color scheme as those approved.

Mr. Swecker – Sure.

Chairman Davidson – A motion has been made and properly seconded that we approve this special sign exception with the condition that future individual tenant panel changes on the detached sign maintain the same color scheme as those approved. All those in favor say aye, opposed say nay.

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

Chairman Davidson – Our next item is Approval of the November 10th, 2015 Meeting Minutes.

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

Mr. Pack – So moved.

Vice Chairman Bryan – Second.

Chairman Davidson – A motion has been made and properly seconded that we approve the minutes. All those in favor say aye, opposed say nay.

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

Chairman Davidson – There being no further business, this meeting is adjourned.

The meeting adjourned at 6:56 p.m.

Mr. Bill Davidson
Chairman

William G. Saunders, IV
Planning and Zoning Administrator