

**PLANNING COMMISSION
MINUTES
JANUARY 6, 2009
6:00 P.M.**

The Planning Commission of the Town of Rocky Mount, Virginia met at the Rocky Mount Municipal Building on Tuesday, January 6, 2009, at 6:00 p.m. with Madame Chair Janet Stockton presiding.

The following members were present: Madame Chair Janet Stockton and Vice Chair John Speidel; Planning Commission Members Derwin Hall, John Tiggle, A. Milton Arrington, and Ina Clements. Staff members present included: Town Attorney John Boitnott, Assistant Town Manager Matthew C. Hankins, and Deputy Clerk Stacey B. Sink. Let the record show that Planning Commission Member Jerry W. Greer, Sr. was not present when the meeting was called to order.

APPROVAL OF AGENDA

Madame Chair Stockton advised the Planning Commission that they had all received copies of an amended agenda and asked for any additions or corrections.

The Assistant Town Manager advised the Commission that the agenda has been updated several times since the originals went out, and he wants to make sure that everyone has the new agenda with the date amended noted in red ink on the top.

- Motion was made by Planning Commission Member Tiggle to approve the amended agenda as presented, with motion on the floor being seconded by Planning Commission Member Clements. There being no discussion, let the record show that the motion on the floor passed unanimously by those present.

APPROVAL OF MINUTES

Prior to the meeting, the Planning Commission members received the following draft minutes for review and consideration of approval:

- December 2, 2008 – Regular Planning Commission Meeting
- Motion was made by Planning Commission Member Arrington to approve the draft minutes as presented, with the motion on the floor being seconded by Planning Commission Member Clements. There being no discussion, let the record show that the motion on the floor passed unanimously by those present.

PUBLIC HEARING

Let the record show there were no public hearings held at this time.

OLD/NEW BUSINESSA) Old Business1. Preliminary Subdivision Plat Review- Hunters Ridge Phase II

The Assistant Town Manager advised the Commission that it takes a big man to admit when a mistake has been made and he believes he weighs more than any of them. He admits that at last month's meeting when staff asked this subdivision plat review to be referred to the Streets, Sidewalks, and Sanitation Committee of Town Council, staff made an error. Staff had not done the research that should have ordinarily been done in order to make this decision. In reviewing the minutes of the Planning Commission in 2005, one of the original approval concepts, which Planning Commission sought assurances of, and Mrs. Stockton asked for clarification of, was that there would be a single point of entry and exit at Hunters Ridge: one way in and one way out. It would not be a through street. In working with the developers, the Town Planner recommended that they have a through street and the developers brought plans back that show a through street. However, it was the developers' preference, and the preference of the residents that bought Phase I, that it should continue to be one way in and out. They do not want a through street. He further stated that from his perspective, he wouldn't want it to be a through street either. While the planner's recommendation was made in good faith and with sound planning principles in mind, it was contrary to the Planning Commission's original direction and preference, as Planning Commission Member Greer pointed out at the last meeting. It has always been intended to be a closed, private street with a turnaround, or cul-de-sac, and that's what the original plans for Phase II called for before the planner recommended the changes. With that in mind, staff makes the following recommendations:

1. Approve Hunters Ridge Phase II subdivision as originally submitted, with a closed street with a single ingress and egress point.
2. Require a turnaround near Phase II that will accommodate turns for garbage, fire and delivery trucks.
3. That the turnaround be adequately curbed, landscaped and blocked off to deny ingress or egress to State Street or adjoining properties.
4. That the other changes recommended by the planner still be incorporated into the subdivision plan.

He further added that the developers for Hunters Ridge, as well as their engineer from Balzer and Associates, are available tonight to answer any questions that Planning Commission may have and to fill the Planning Commission in on what has been updated on the plans. The Town Streets, Sidewalks, and Sanitation Committee did review this request with only two members present, and they were unable to reach a consensus as to what direction to provide, so they have no recommendation. However, the Planning Commission is the subdivision agent and has final approval over this plan. This will not need to go before Town Council.

Madame Chair Stockton asked for a Hunters Ridge representative to speak about the changes recommended by the Planning Commission. The Assistant Town Manager clarified that the changes had actually been recommended by the Planning and Zoning Administrator (PZA), Paul Stockwell. He also added that the PZA is no longer employed by the Town of Rocky Mount, and he has a brief statement from Mr. Stockwell that he will share with the Commission later in the meeting. The PZA did submit some comments back to the developers as part of the routine review process, particularly about screening, easements, and some additional items.

Ben Crew with Balzer and Associates came forward to address the Commission, stating that he is here on behalf of Tom Sells and the other gentleman with Hunters Ridge development. One of the changes that occurred on the plat as a result of the standard subdivision review done by the PZA concerned the through street, and that has been addressed. There was also a concern from staff about the proposed sanitary sewer easement. There will be a new sanitary sewer main, and there was some concern about the easement and the required buffer area along the back properties because this is an R3 development and the adjoining properties are R1. There is a required screen. Evergreen trees are to be planted between the development and the other properties and the request was made that additional space be provided between the easement and buffer in case maintenance needs to be done to the utility lines. The site plan and the plat have been revised and will be resubmitted tomorrow with the final changes. This was the gist of the review comments and he added that he would be happy to entertain any questions that the Planning Commission may have. Discussion ensued:

- Vice Chair Speidel questioned where the turnaround would be located. Using the plat, Mr. Crew explained that the turnaround would be located on Member One Way, just past the Phase I development and in line with the back units of Phase II. A new road will be built between the two sides of the Phase II development and the turnaround will be between the current Member One Way and the road extension. The turnaround will require a two-point turn and is in a flat area.
- The Assistant Town Manager added that another concern had to do with garbage collection. The developers' attorney, Mr. Perdue, is

working with the Town Attorney to draft an acceptable agreement regarding garbage.

- Vice Chair Speidel questioned if staff thinks the screening would be adequate between the R1 and R3. The Assistant Town Manager advised that staff thinks the screening will be adequate. There is some existing natural hardwood screen, which for a few months out of the year would allow for the R1 to be visible to the R3; however, the developer is planning on planting Leland Cypress or something similar. These trees reach maturity fairly quickly.
- Mr. Crew confirmed to Vice Chair Speidel that the old proposed drive that would have gone through to State Street is Hunters Ridge property. This area will be “dead” space that will be a green area with landscaping. The Assistant Town Manager added that staff recommended plantings and landscaping there because some people are driving on this area to reach State Street which is a potential public safety hazard.
- Planning Commission Member Clements added that if Phase II looks as nice as Phase I then the development will certainly be a complement to the area.
- There are five remaining unoccupied units in Phase I and two of them are under contract.

There being no further discussion, Madame Chair Stockton entertained a motion:

- Motion was made by Planning Commission Member Tiggle to approve the preliminary subdivision plat for Hunters Ridge Phase II with the recommended changes from staff, with motion on the floor being seconded by Vice Chair Speidel. There being no further discussion, let the record show that the motion on the floor passed unanimously by those present.

B) New Business

1. Advertising Schedule for Planning Commission Public Hearings

The Assistant Town Manager opened the discussion stating that this is mostly informational and an opportunity to receive input from the Planning Commission. The previous Town Manager, Keith Holland, discontinued the practice of jointly advertising the Planning Commission and Town Council meetings. The State Code does allow joint advertising and staff has determined that the Town can save approximately \$1,100 per year by jointly advertising the meetings. This would decrease the number of ads from 48 to 26, so this could be a substantial savings, not only in dollars but also in staff time. Unless Planning Commission has some objection, staff plans to combine the Town Council and Planning Commission advertising as a cost

savings measure and to advertise the schedule on January 16th, after receiving Town Council's input. Also, by combining the ads, staff will be able to push back the filing deadlines, which will allow more time to file a request requiring a public hearing. Staff thinks this will provide better customer service to the public. If Planning Commission has any objections to the Planning Commission ad and the Town Council ad appearing in the same space, then now is the time to voice the objection. It was the general consensus of Planning Commission that anything which will cut down on cost would be worthwhile. The Assistant Town Manager added that this measure will not be a huge cost savings but if the Town is able to save a thousand dollars here or there, then it makes him feel better about being a steward of taxpayer funds. As far as the filing deadlines are concerned, staff leaned toward the customer service side by having deadlines that fell on holidays moved to the day following.

(Let the record show that Planning Commission Member Greer arrived at the meeting at 6:20 p.m.)

2. Consideration of Sight Distance Requirement Waiver for Empire Foods Development on Weaver Street

The Assistant Town Manager advised that staff originally planned to bring this before Planning Commission for approval, but has since determined that this waiver can be done administratively. However, as an informational item and in reviewing the Virginia Department of Transportation (VDOT) standards for sight distance, Empire Foods came up 40 feet short of the required sight distance at the speed limit on Weaver Street. This is such an incrementally small amount, less than the length of the trailer portion of a tractor-trailer, that staff is not going to ask for approval, but does intend to administratively waive the sight distance requirement.

Let the record show that there was no comment by Planning Commission.

3. Designation of Subdivision Agent

The Assistant Town Manager opened the discussion stating that the reason staff is asking for this designation is that the Town Planner, Paul Stockwell, offered his resignation yesterday. Mr. Stockwell did have some comments that he wished passed along to Planning Commission, being:

I sincerely wish the best for all members of Rocky Mount's Planning Commission, Town Council, and Board of Zoning Appeals. This letter will serve as my resignation effective January 5th. I sincerely hope the best for the Town and will fondly remember my endeavors and pursuits here as the Town Planner.

The Assistant Town Manager added that since the person they had previously designated as the Commission's subdivision agent has resigned, Planning Commission will need to designate someone to do the work in the interim. He asks that Planning Commission designate him. He also added that staff has discussed this and depending on how the workflow goes, thinks that it may be better to make this a permanent change. If Planning Commission would like to do this in the short term to see how it goes and make sure no problems arise, then that would be fine too. Someone will need to be designated to review subdivisions in the interim. Any major subdivision would still come before Planning Commission. The primary responsibility of the subdivision agent is to sign off on changes that Planning Commission has approved or to approve minor subdivisions which contain less than five lots.

There being no further discussion, Madame Chair Stockton entertained a motion:

- Motion was made by Planning Commission Member Greer to designate the Assistant Town Manager as the subdivision agent, with motion on the floor being seconded by Vice Chair Speidel. Discussion ensued. Planning Commission Member Clements questioned if the Assistant Town Manager felt he could do both jobs permanently. The Assistant Town Manager explained that it is his expectation that the Town Planner will still do a lot of the review work and then will bring it to him for approval. What has been happening, from a work flow standpoint, is that requests come in to the Town Planner and then the Assistant Town Manager winds up not hearing about or seeing them. From a workflow standpoint this really doesn't make a lot of sense. The work should be coming in to him, he should assign the work for review by the planner, and then he should review the work and sign off on it. By designating him as the subdivision agent permanently, Planning Commission would be ensuring that the Assistant Town Manager signs off on work that has been done. It makes sense administratively to do this, but he will leave it up to Planning Commission to determine if it fits in with their ideal. Planning Commission Member Greer confirmed to Planning Commission Member Tiggle that his motion is to designate the Assistant Town Manager on a temporary basis. The Assistant Town Manager confirmed to the Planning Commission that this extra duty will not pose a huge burden. As the Town Code is written, the Planning Commission is the subdivision agent, but they need someone to act on their behalf. There being no further discussion, let the record show that the motion on the floor passed unanimously. The Assistant Town Manager added that the same request would be made before Town Council for Planning and Zoning on a temporary basis.

PLANNING COMMISSIONER'S CONCERNS

Planning Commission Member Hall stated that when Planning Commission and Town Council last had a joint meeting, Town Council asked that Planning Commission look at sidewalks and identify areas within Town where sidewalks aren't possible. This was for the 5-year transportation plan. He questioned if Planning Commission was going to address this issue this year.

The Assistant Town Manager addressed this question by confirming that staff is still working on follow-ups from the joint meeting. Staff has been trying to handle just a few items at a time, but will be glad to move this item up. Money is going to be tight this year for transportation planning. The Town has some requests in to VDOT for revenue sharing money. However, with the state budget in flux he hates to count on anything.

Planning Commission Member Arrington questioned the status of the cars on South Main Street, which he has mentioned at the previous two meetings. The cars are still there and he thinks they have added four or five. Staff so noted and advised the issue will be investigated.

Planning Commission Member Tiggle also noted that he has checked out the mobile home located in Franklin Heights and there are no license plates on the vehicle. Planning Commission Member Greer confirmed that the Town Manager is aware of this, although he doesn't know where he is with it.

WORK SESSION

The Assistant Town Manager advised that three different topics have been brought before the Planning Commission tonight for consideration. Staff is not looking for a final solution for any of these. In fact, due to the holidays, he himself has had very little time to work on any of these items. Discussion of the work session items continued as follows:

1. Possible Rocky Mount Light Ordinance

- There are a couple examples of light ordinances. Some are very complicated, some are very simple. Staff would like to lean toward the simpler side. Staff would appreciate Planning Commission's input on a light ordinance. Is this the way the Town wants to go? Staff is more particularly interested in protecting property owners when a new development is created by making sure that there is not a lot of light intrusion.
- The examples indicated that this must be added to the Comprehensive Plan. The Assistant Town Manager is not certain if this must be added or not. However, staff hopes to do some minor updates to the Comprehensive Plan this year. The Comprehensive Plan is due for an update in 2011, but staff would like to make some minor changes now so that major changes are not

needed down the road. It would be good to include this in the Comprehensive Plan. It would show people who are interested in moving here that the Town is interested in protecting citizens from light intrusion. Staff is not talking about a dark sky ordinance but wants to protect people that have made an investment in their property.

- Generally most lighting complaints are about street lights, but every now and then there are other complaints.
- There was general discussion about street lights. Some lights seem to go off periodically. Is this to keep them from overheating? Or, are the light ballasts about to go out? Staff will seek clarification from American Electric Power regarding this issue. Planning Commission Member Greer indicated that he believes the Town Manager is working on this issue as well.
- The Empire Foods site plan shows a lighting plan that lists candlepower for the lighting used on the property and it is shown diminishing towards the edges of the property. This is the kind of development the Town should encourage.
- Currently, there is no requirement for lighting in Town.
- The Assistant Town Manager stated that as he understands it, his direction is to work with staff in developing something that is fairly simple and follows State Code in terms of a lighting ordinance. Staff will then bring something back to Planning Commission as a starting point for conversation.
- Planning Commission Member Hall stated that he likes the idea of billboards with lights pointing down, with the Assistant Town Manager confirming that the same principle could be applied to landmark and entry signage as well. The Town does not allow billboards in town limits.

2. Accessory Structures and Containers

- The Assistant Town Manager advised the Commission that he was expecting Mr. Stockwell to be available to lead the discussion regarding accessory structures and containers. He is not prepared for this discussion and would like to bring the topic back in February.
- Madame Chair Stockton questioned if the Town already has a definition for *accessory structure*. The Assistant Town Manager advised there is a limited definition which leaves a lot of questions about what does and does not qualify as an accessory structure.
- The Town Attorney advised that Article 19 defines an *accessory structure* as a subordinate use of a structure customarily incidental to and located upon the same lot occupied by the main use or building provided that no such accessory building shall be used for housekeeping purposes.
- There is no definition of *container*.
- Planning Commission Member Hall likes 19-3-36.1. A container can't be an accessory building and is for temporary uses, while there is an active building permit.
- Would containers that are already in existence be grandfathered? The Town Attorney confirmed that it would be grandfathered under the nonconforming use provision of the ordinance. Nonconforming uses go with the land and are

deemed abandoned if discontinued for a period of more than two years. A nonconforming use or structure cannot be expanded.

3. Idea Session to Contemplate Potential Traffic Solutions for Hub Restaurant Intersection/Angle Bridge

- The Assistant Town Manager advised that as part of the follow-up from the joint session with Town Council, Planning Commission Member Hall asked that Planning Commission consider the Hub Restaurant intersection to look at some long term and short term solutions that will lead to better traffic flow. This brainstorming session doesn't have to be done tonight, but staff would like to start considering this if it is Planning Commission's desire.
- The traffic lights don't seem to work well together.
- The leading arrow stays on longer in the right hand lane than in the lane turning left to go down by the Depot.
- Coming by the old Lane building where the right hand turn is sharp, it would help to move the lane over and make it more of a direct turn.
- There are probably several studies that have been done on the intersection. Staff will research any previous studies. The best resources will be VDOT and the Town's Public Works Director, Cecil Mason.
- The restaurant traffic further complicates the matter.
- A sign that says "No Turn on Red" may help.

ADJOURNMENT

There being no further business to discuss, motion was made by Planning Commission Member Clements to adjourn at 7:00 p.m., seconded by Planning Commission Member Arrington, and carried unanimously.

Janet Stockton, Chair

ATTEST:

Stacey B. Sink, Deputy Clerk

/sbs

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