

**TOWN OF ROCKY MOUNT
PLANNING COMMISSION
MEETING MINUTES
APRIL 1, 2014
6:00 P.M.**

The Planning Commission of the Town of Rocky Mount, Virginia, met in the Council Chambers of the Rocky Mount Municipal Building, located at 345 Donald Avenue, Rocky Mount, Virginia, at 6:00 p.m. on Tuesday, April 1, 2014, for its regular monthly meeting with Vice Chairman John Speidel presiding.

The following members of Planning Commission were present when the meeting was called to order: Vice Chairman John Speidel and Planning Commission Members Bud Blanchard, Ina Clements, Jerry Greer, Derwin Hall, and John Tiggle. Let the record show that Madame Chairman Janet Stockton was absent from the meeting.

The following staff members were present: Town Planner Patrick Rust, Town Attorney John Boitnott, and Deputy Town Clerk and Secretary to the Planning Commission Stacey B. Sink.

APPROVAL OF AGENDA

Vice Chairman Speidel asked if there were any additions or corrections to the presented agenda, and being none, entertained a motion.

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

REVIEW AND CONSIDERATION OF MINUTES

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

- March 4, 2014 – regular meeting minutes

Vice Chairman Speidel asked if there were any additions or corrections to the presented draft minutes and being none entertained a motion.

- Motion was made by Commission Member Tiggle to approve the March 4, 2014 minutes as presented, with motion on the floor being seconded by Commission Member Clements. There being no discussion, let the record show that the motion on the floor passed unanimously by those present.

Vice Chairman Speidel recessed the regular meeting to hold the following public hearings:

PUBLIC HEARINGS

1. Rocky Mount Baptist Church Special Use Request

After being duly advertised, and pursuant to the Zoning and Development Ordinance of the Town of Rocky Mount, and the Code of Virginia (1950), as amended, Rocky Mount Baptist Church requested a special use permit to construct a 12-foot by 16-foot accessory building on its property located at 85 West Church Street and known as Franklin County Tax Map and Parcel Number 20700 60400. The property is zoned Central Business District – CBD, and accessory structures are not a use by right in the district.

Town Planner Rust delivered the following staff report:

- This request has been made by Jack Strickler on behalf of Rocky Mount Baptist Church.
- Article 29-7-1 of the Zoning Ordinance specifies that no yards are required for business uses in the CBD.
- Article 29-13-1, however, specifies that businesses located next to existing residential units in the CBD must observe a minimum buffer of at least 25 feet.
- Other zoning districts, which allow for accessory structures as uses by right, set forth specific requirements for size and location. Typically, the requirements are that accessory buildings be located at least ten feet behind the main structure and at least five feet from every property line. Also, accessory buildings located within 20 feet of any property line can be no more than one story in height.
- In this case, the proposed accessory structure will be located behind the main structure and should not be visible except from Scott Street, which is a residential area in the CBD.
- The proposed structure will take up 12 feet of the 20-foot rear yard, leaving eight feet to be collectively dispersed between the buffer from the main building to the accessory structure and the accessory structure to the neighboring property. This is a rough estimate. The church is having the property surveyed

to know for sure.

- The neighboring property (which the proposed accessory building will abut against and which is currently used for residential purposes) is of a higher elevation and is separated from the church property by a retaining wall.
- Article 29-12-1(a) specifies that landscaping or fencing is required for screening of outbuildings not connected to a primary building.
- The most recent, similar request to this occurred in January 2011, when Dr. Clements of Franklin Dental Associates requested a special use permit to add an accessory storage structure to his property located at 490 South Main Street. This request was approved with conditions by Town Council in February 2011.
- Another similar request was made by Verdella Holland in 2010 for her property located at 50 Warren Street, which is a mixed-use property with the residential use located above the commercial use.
- If approved, this special use permit will allow the accessory building to be erected on the parcel. If approved, the Church must also request a variance from the Board of Zoning Appeals from the requirements of Article 29-13-1 (stated above).
- After due review and based on these considerations, staff suggests that Planning Commission recommends to Town Council the approval of this special use application to allow an accessory structure at 85 West Church Street.

Vice Chairman Speidel called upon the applicant for comments:

Jack Strickler, of 3380 Pleasant Hill Road and representing Rocky Mount Baptist Church, came forward. He is a member and deacon of the church.

- The church needs the building for storage.
- Youth group classes are growing and the church needs room. Currently tables are stored in some of the rooms and they need to be moved out to make a place for classrooms.

Vice Chairman Speidel called upon any member of the audience who wished to speak in reference to the request. Let the record show that no one from the public came forward to speak.

Comments and questions from Planning Commission:

- Staff verified that no phone calls or written comments were received from the public pertaining to the request.

There being no further comments from Planning Commission, Vice Chairman Speidel entertained a motion:

- Motion was made by Commission Member Hall that the Planning Commission recommends to Town Council the approval of the special use request as presented, to allow an accessory structure at 85 West Church Street, Tax Map and Parcel Number 20700 60400, with motion on the floor being seconded by Commission Member Blanchard. There being no further discussion, a roll call vote was taken, with all members present voting in favor of the motion.

Vice Chairman Speidel recessed the meeting to hold the second public hearing:

2. *Bryan Hochstein Special Use Request*

After being duly advertised, and pursuant to the Zoning and Development Ordinance of the Town of Rocky Mount, and the Code of Virginia (1950), as amended, Bryan Hochstein requested a special use permit to erect a mural sign on the storefront located at 467 Franklin Street (future home of Bootleggers Café) and known as Tax Map and Parcel Number 20700 57100. The applicant wishes to reconstruct the historical, landmark mural which formerly represented the Rocky Mount Bottling Company in the same location.

Town Planner Rust delivered the following staff report:

- Displayed historical pictures of the 1940s era mural for reference.
- Article 8-15(E) of the Zoning and Development Ordinance specifies that a special use permit is required for all new mural signs. Additionally, the same code section exempts landmark signs (that may be preserved and maintained even if they no longer pertain to the present use of the premises) from the code's dimensional requirements for wall signs.
- The significance of this exemption is that it would allow the applicant to erect up to an additional 60 square feet of signage for the promotion of the business (Bootleggers) which is the district maximum per business in the Central Business District – CBD.
- The landmark mural sign would replicate the original Rocky Mount Bottling Company Coca-Cola sign at a higher location on the building which will allow for the display of the current business's signage.
- The reproduction of the landmark sign would add nostalgic character to and enhance the historical significance of the building and surrounding area.
- Planning Commission's most recent experience with mural requirements occurred in 2012 with two separate requests from Mary Wray and the Rocky Mount Center for the Arts, Inc., both for arts related murals. Both requests were

recommended for approval by the Commission and later approved by Town Council with conditions as determined based on the merits of each request. The historical, landmark nature of this request sets it apart from the previous requests.

- The significance of this request might most closely be compared to the mural sign which currently exists on the Angle Hardware building located at 330 Franklin Street. The Angle Hardware mural differs slightly because it represents a current business. However, the mural does add a bit of nostalgic flair to the Downtown District.
- After due review and based on these considerations, staff suggests that Planning Commission recommends to Town Council the approval of this special use application as presented allowing for the historic, landmark mural depicting the Rocky Mount Bottling Company to be erected at 467 Franklin Street.

Vice Chairman Speidel called upon the applicant to speak in reference to his request:

Bryan Hochstein, off 2403 Goldfield Court, Greensboro, NC, came forward with the following comments:

- His plan is to continue to use the old Pyramid Pizza awning that is on the building now and to raise the mural sign to the top of the building.
- He also plans to replace all the windows and the garage door to bring back the old 1940s look of the building. He is working with Hill Studio and the Department of Historic Resources.
- The colors will be a dark background with white lettering for the words and red and white for Coca-Cola.
- Coca-Cola is involved and has hired the muralist which will do the painting directly onto the brick.

Let the record show that no one from the public came forward to speak in reference to this request.

There being no further discussion, Vice Chair Speidel called the meeting back into regular session and entertained a motion:

- Motion was made by Commission Member Hall that Planning Commission recommends to Town Council the approval of the special use application allowing for the historic, landmark mural depicting the Rocky Mount Bottling Company to be erected at 467 Franklin Street, Tax Map and Parcel Number 20700 57100, with the condition that the applicant work with the staff for final

design approval, with motion on the floor being seconded by Planning Commission Member Clements. There being no further discussion, a roll call vote was taken, with all members present voting in favor of the motion on the floor.

OLD BUSINESS

1. Discussion regarding Planning Commission Bylaws

Deputy Clerk Sink asked if this discussion could be continued to another meeting with Planning Commission being in agreement.

2. Update on Comprehensive Plan Request for Proposals

Town Planner Rust advised that the RFP to secure a consulting firm to help with the update with the Town's Comprehensive Plan went out at the end of March, and should be back by mid-April, with the review and interview period being at the end of April. Vice Chairman Speidel and Commission Member Greer have expressed interest in being involved with the interview panel. The chosen firm will be presented to Town Council in May and then hopefully can begin work with the chosen firm in May. This will be total overhaul to the plan to give it a cleaner, fresher look with updated information.

NEW BUSINESS

Let the record show there was no new business to discuss at this time.

COMMISSIONER CONCERNS AND STAFF UPDATES

Blanchard: What is happening with the house on Spring Street? Some columns have been painted and house numbers put up.

- The town attorney advised that the property remains the subject of a nuisance action by the Town. The court has entered an order requiring certain things to be done in connection with the property within a certain time period. Then, the court will reconvene to see what has been done. April 25 is the due date for remediation and the hearing is June 10.

Blanchard: The stoplight at the bank (Carter Bank and Trust) still is not set right. Motorists must pull past the white line to get the light to change. Some people don't realize this and just sit there with the light not changing.

Clements: Has the paperwork for Taco Bell been completed?

- The town planner advised that no site plans have been received in regards to Taco Bell. He believes it is still "in the works".

Tiggle: In some localities, when it is raining and muddy, construction vehicles are not allowed to enter the roadways. The Dollar Tree site has been a muddy mess.

Speidel: Has the new sign at Mainstreet Tax been approved?

- The town planner will investigate the new sign.

ADJOURNMENT

At 6:32 p.m. and with no further business to discuss, Vice Chair Speidel entertained a motion to adjourn, with motion being made by Commission Member Clements, seconded by Commission Member Tiggle, and carried unanimously by those present.

John Speidel, Vice Chairman

ATTEST:

Stacey B. Sink, Secretary

/sbs

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