

The Smithfield Planning Commission held its regular meeting on Tuesday, February 10, 2026. The meeting was called to order at 6:30 PM.

Members present:

Julia Hillegass - Chairwoman
Dr. Herb Bevan - Vice Chair
Dr. Thomas Pope
Charles Bryan
James Yoko
Darren Cutler
Randy Carr

Members absent:

None

Staff present:

Tammie Clary – Community Development & Planning Director
Mark Kluck - Planner II
Steve Clark - Grounds Attendant
Mary Ellen Bebermeyer – Town Council Member

Legal Representation:

None

Press:

Stephen Faleski - The Smithfield Times

Citizens: 4

Chairwoman Hillegass welcomed all attendees to the meeting.

1. Upcoming Meetings and Activities

February 16th - Town Office Closed in Observance of Presidents Day
February 17th - 6:30 p.m. - Board of Historic and Architectural Review
February 17th - 7:30 p.m. - Board of Zoning Appeals
February 23rd - 3:00 p.m. - Town Council Committee Meetings
March 3rd - 6:30 p.m. - Town Council Meeting
March 10th - 6:30 p.m. - Planning Commission Meeting

2. Public Comments

Chairwoman Hillegass confirmed that there were no members of the public signed up to speak, and no one present wished to comment.

3. Planning Commission Comments

Chairwoman Hillegass welcomed Mr. Carr as the newest member of the Planning Commission.

Mr. Cutler reviewed that the Commission had previous discussion regarding requesting use of a portion of the budget for the Planning Commission. He noted that budget season was approaching, he asked whether Mrs. Clary could approach the Town Manager to research whether that request should come under a specific Commission Budget or under the Planning Department Budget. He recalled that the discussion had covered the use of such a budget in order to help fund studies, and some studies could range anywhere from \$5,000 to upwards of \$35,000. He recommended that they explore requesting \$30,000 to \$50,000, with the latter number being more appropriate if it

would be for the whole Planning Departments use.

Mrs. Clary reported that she had already included it as a line item in the Planning Department's proposed budget.

Mr. Cutler asked what the figure was that she was requesting.

Mrs. Clary stated that her recommendation was \$150,000 to \$300,000 based on the types of studies that were referenced during their discussion.

Dr. Pope related that he wanted to comment further, but as there were people waiting to have their applications reviewed, he would wait until the end of the meeting to comment.

4. Agenda Items:

A. Planning Commission Virtual Participation Policy

Mrs. Clary reported that per the Commission's previous request, the Town's Interim Attorney had drafted a Planning Commission Virtual Participation Policy. She observed that the policy was in-line with State Code requirements. She highlighted that it could not be used for more than two meetings per year or 25% of the meetings, whichever was greater. She added that the policy would need to be adopted annually.

Dr. Pope asked about item number four in the policy, which delineated personal reasons versus medical reasons. He confirmed with Mrs. Clary that being on vacation met the criteria to be able to participate remotely for personal reasons.

Mr. Yoko made a motion to approve the policy as presented. Dr. Pope seconded the motion.

Chairwoman Hillegass called for the vote. Mr. Bryan voted aye, Mr. Carr voted aye, Mr. Cutler voted aye, Dr. Pope voted aye, Mr. Yoko voted aye, Vice Chair Bevan voted aye, and Chairwoman Hillegass voted aye. The motion passed unanimously.

B. *Public Hearing* - Special Use Permit - TPIN 32-01-096A2 - Randy Royal, applicant. (Staff report and assorted attachments enclosed)

Mrs. Clary reported that the applicant was seeking a Special Use Permit under the provisions of Article 3.I.C.30 to allow for reduced stacking spaces in the drive through. She detailed that the drive-through would feature a pickup window (as opposed to a traditional drive-through) and the applicant was requesting to have five (5) stacking spaces, as opposed to the required ten (10) stacking spaces in Article 8.G.5. She updated that the applicant removed the order board and all ordering will take place through the Sheetz app. She related that Town Staff required the Planning Commission to make a recommendation to Town Council for the requested SUP through Article 3.I.C.30 (waiver of parking and loading) to waive the required 10 stacking spaces in Article 8.G.5.a.

Chairwoman Hillegass opened the public hearing, and confirmed that there was no person signed up to speak. She closed the public hearing.

Olivia Beck of 1821 McTavish Avenue in Richmond was present representing the applicant.

Vice Chair Bevan confirmed that the current SUP was a change from what was originally presented.

Mr. Bryan asked what had brought about the change in their plans.

Ms. Beck explained that the app-based ordering fit with their customer-based approach. She related that it would assist with timing at the drive-thru and it was what customers wanted based on their feedback.

Mr. Bryan observed that there were many Sheetz locations and asked if they had ever utilized this model at any other stores.

Ms. Beck reported that it was present at the newer constructions of the brand. She added that any stores that were undergoing remodeling would also go through the same process of eliminating the traditional drive-thru and having a window for pick-up only. She clarified to Mr. Bryan that this was not technically the first implementation of the plan, but it was a newer concept overall.

Mr. Bryan asked how they might handle a customer who had approached the window to place an order.

Ms. Beck reported that the store's staff would ask the customer to come into the store to complete their order at a kiosk or pull into the mobile pick-up line and order via the app. She related that they had stores that had piloted the process, which was where they had received customer feedback, and that is where the implementation originated.

Vice Chair Bevan asked if the new drive-thru arrangement would affect any lighting requirements or any of the signs that the Planning Commission had previously approved.

Ms. Beck noted that the need for the menu signage at the drive-thru would be eliminated, and there would just be a sign relaying "Mobile Order Pick-Up" instead. She stated that more would be eliminated and nothing would be added.

Mr. Cutler observed that they had moved the dumpster location as was previously discussed. He stated that they had also discussed the possibility of Sheetz putting in Tesla superchargers or some type of charging area. He asked if there was any progress on that front.

Ms. Beck reported that they were at the same point in that conversation as they had been previously. She stated that Sheetz had to get third party companies to agree to purchase those spots and install their own equipment. She said that they had not had any interest from those companies since they were last before the Commission, but there was still an opportunity for chargers to be installed at some point as the offer was still available to third party vendors.

Mr. Cutler explained that as a town known for its tourism, it was an opportunity to offer an amenity that was not currently very prevalent in the area.

Dr. Bevan made a motion to forward a favorable recommendation to the Town Council for the SUP as presented.

Mr. Yoko seconded the motion.

Chairwoman Hillegass called for the vote. Mr. Yoko voted aye, Dr. Pope voted aye, Mr. Cutler voted aye, Mr. Carr voted aye, Mr. Bryan voted aye, Vice Chair Bevan voted aye, and Chairwoman Hillegass voted aye. The motion passed unanimously.

C. *Public Hearing* - Special Use Permit - 108 South Mason Street TPIN 21A-01-328 - Phillip Hines, applicant. (Staff report and assorted attachments enclosed.)

Mrs. Clary reported that the applicant was seeking a Special Use Permit under the provisions of Article 3.H.C.31 to allow for reduced parking spaces for the proposed single-family dwelling. She stated that the applicant would provide one parking space instead of the 2 parking spaces required by Article 8.E.29. She added that the Board of Historic and Architectural Review (BHAR) requested that the applicant only provide one parking space to keep in line with the neighboring properties. She pointed out that staff would need the Planning Commission to make a recommendation to Town Council for the requested SUP through Article 3.H.C.31 (waiver of parking and loading) to waive the required 2 parking spaces in Article 8.E.29.

Chairwoman Hillegass summarized the BHAR decision as she was present as the Commission liaison. She said that they had discussed the issue at length and felt that what was being presented would fit better with the aesthetic of the rest of the historic homes on the street.

Chairwoman Hillegass opened the public hearing and asked if there was anyone signed up to speak. She confirmed that there was no one who wished to speak, and closed the public hearing.

Phillip Hines of 4376 Lynnvile Crescent in Virginia Beach reported that he was present to answer any questions that the Commission members may have.

Mr. Bryan noted that the original plans submitted had provisions for two parking spaces, and was concerned about additional parking on the street with the parking reduced to one space. He observed that North Mason Street is wider than South Mason Street, and with parking on even one side of the street on South Mason Street, it did not allow for two-way traffic. He added that most of the homes had parking that allowed for two vehicles, and he felt that Mr. Hines was asking for something that was not in character with that particular block.

Mr. Hines reviewed that they had provided space for two parking spots, and upon their presenting the plan to BHAR, their recommendation had been to have only one parking space.

Chairwoman Hillegass explained that the original plan included having a concrete pad in the front of the house, where in that area what was seen was a narrow drive that went in-between two residences. She reported that BHAR felt strongly that what was now being presented was more in-keeping with the character of both the district and that specific section of the neighborhood.

Mr. Bryan expressed concern that the public perception surrounding the Planning Commission was that they approved SUPs frivolously. He questioned whether the purpose of the SUP was based on a need or want. He stated that allowing additional cars on the road was adding inconvenience, using the example of street parking causing one-way traffic on that road, which was contrary to the point of the ordinance.

Chairwoman Hillegass reported that street parking in that area did not cause one-way traffic currently.

Mr. Bryan stated that he had driven through the area, and he thought that it did.

Chairwoman Hillegass noted that she lives on that same street and traversed South Mason frequently, and it did not.

Dr. Pope made a motion to forward a favorable recommendation to the Town Council to approve the requested the SUP with the recommended changes made by the BHAR to allow 1 parking space instead of the required 2 spaces.

Mr. Yoko seconded the motion.

Mr. Bryan questioned if the applicant had surveyed the surrounding residents to get their opinion.

Mr. Hines reported that he had spoken with the neighbors, and had not run into opposition.

Chairwoman Hillegass noted that a member of the BHAR that had given his favorable recommendation for the SUP lived across the street from the site.

Chairwoman Hillegass called for the vote. Mr. Cutler voted aye, Dr. Pope voted aye, Mr. Yoko voted aye, Mr. Bryan voted nay, Mr. Carr abstained, Vice Chair Bevan voted aye, and Chairwoman Hillegass voted aye. The motion passed by the majority.

D. *Public Hearing* - Rezoning, Comprehensive Plan Amendment, & FLUM Amendment - 315 Main Street - Town of Smithfield, applicant. (Staff report and assorted attachments enclosed.)

Mrs. Clary reviewed that the Town Staff was requesting the rezoning of the property from Heavy Industrial to Downtown, which was in line with neighboring properties. She observed that the only proposed addition is a shed to house the Tourism golf cart. She explained the following:

- Conditional Official Zoning Map Amendment (Rezoning): The property is currently being used for retail sales, which is permissible in the Downtown Zoning District, by-right.
- Comprehensive Plan Amendment (Future Land Use Map Amendment): The Historic District/ Downtown Mixed Use will be the FLUM designation for both parcels and the

Historic District Residential will be removed. A plat consolidating the lots into one parcel will be recorded.

Chairwoman Hillegass opened the public hearing on the matter, and confirmed that there was no one signed up or that wished to speak. She closed the public hearing.

Dr. Pope reported that he was pleased to see the changes made.

Mr. Yoko confirmed with Mrs. Clary that though the version of the FLUM included in the packet had the parcel split, it would be changed in the updated version as soon as it was approved.

Mr. Carr noted that everything around the parcel was historic and asked why they would change the parcel.

Mrs. Clary explained that the parcel was previously part of Smithfield Foods Packing Plant and used as a slaughterhouse, which was why it was zoned Heavy Industrial. She confirmed what structures were currently on the lot.

Dr. Pope made a motion to forward a favorable recommendation to Town Council to approve the Conditional Official Zoning Map Amendment (Rezoning) from Heavy Industrial (I-2) to Downtown (D) and the Comprehensive Plan Amendment (Future Land Use Map (FLUM) Amendment changing the entire FLUM parcel designation to "Historic Downtown Mixed Use".

Mr. Bryan seconded the motion.

Chairwoman Hillegass called for the vote. Mr. Bryan voted aye, Mr. Carr voted aye, Mr. Cutler voted aye, Dr. Pope voted aye, Mr. Yoko voted aye, Vice Chair Bevan voted aye, and Chairwoman Hillegass voted aye. The motion passed unanimously.

E. Approval of the January 13th, 2026 Meeting Minutes.

Vice Chair Bevan made a motion to approve the minutes as presented.

Mr. Bryan seconded the motion.

Chairwoman Hillegass called for the vote. Mr. Bryan voted aye, Mr. Carr voted aye, Dr. Pope voted aye, Mr. Yoko voted aye, Mr. Cutler voted aye, Vice Chair Bevan voted aye, and Chairwoman Hillegass voted aye. The motion passed unanimously.

5. Additional Planning Commission Comments

Dr. Pope recalled that at the Planning Commission's last meeting they had discussed the Mallory Pointe development, and he wanted to revisit the subject. He observed that recently they had been reviewing the Land Use Matrix and SUPs, pointing out that Mr. Hines' application discussed earlier showed how important SUPs were to allow flexibility. He noted that he was very much in favor of the use of SUPs, but Mallory Pointe's SUPs had seemed to be the impetus in the town that created controversy surrounding their use. He stated that the matter was why Mr. Cutler and Mrs. Bebermeyer had run on their platforms addressing SUPs and growth. Dr. Pope reported that he felt that the types of SUPs requested and approved at the Mallory Pointe development were pretty irrelevant and standard. He continued that he thought that many had forgotten just how much land the developer owned and exactly what he was able to do by-right that could have come to fruition. He added that the State of Virginia was changing development laws, and they were lucky to actually only have 812 homes being built in a 500-acre subdivision. He related that he had given them a photocopy of a map showing how the developer had broken up his land originally, adding that if the developer had used the land to its fullest capability without ever coming before the Planning Commission, he could have built 594 homes. He continued by explaining that the second table illustrated what the changes were to the original plan and what exactly was applied for in the rezoning. Dr. Pope reported that with the changes to zoning, the developer could have built 1451 homes at full build out based on the acreage owned. He reviewed that the developer had first come to the Commission with 696 units Attached Residential and 410 units of Single-Family Homes for a total of 1106 units. He stated that after many discussions over several months, what the developer ended up with was 305 Attached Residential and 507 Single-

Family Homes for a total of 812, which was approved by the Commission, and then subsequently approved by the Town Council. Dr. Pope said that on the second page of the handout there was more information about the SUPS that had been requested, and why they had been requested. He asked Mrs. Clary if she could offer insight into Item C, which was a Smithfield Zoning Ordinance Text Amendment to remove use to just Attached Residential zoned property, as it had been so many years since it had been discussed.

Mrs. Clary explained that there had been a nuance in the zoning ordinance that limited the use of the community facilities only to Attached Residential zoned properties. She continued that it would then prohibit the Suburban Residential properties from using those facilities.

Dr. Pope questioned why people would be concerned about the approval of an SUP to allow owners of Attached Residential and Suburban Residential properties to have use of facilities on the same property. He recalled that there had been 4 SUPs and 2 waivers for that specific project, and the outcry from the public was that the Town was allowing 6 out of the ordinary items. He pointed out that they had approved similar SUPs during the meeting they were holding presently, and the label of "SUP" had become a bad name mostly due to the Mallory Pointe development voting five years prior. Dr. Pope emphasized that SUPs were for special uses, which he illustrated by using the approval of having one parking space instead of the required two. He related that the issue of SUPs had been blown out of proportion. He gave the reminder that in 2005, when the developer purchased the property, the Town had requested that he put in a water tower, and he obliged, but never seemed to get credit for that. He observed that the developer agreed to keep piers out of Moone Creek and protect the RPA by not allowing clearing in addition to the multiple road improvements that were agreed to. He added that the developer had donated 17 acres to the Town of Smithfield in addition to assisting neighboring private lots with fixing their land issues. He concluded that Mallory Pointe was not a good example to use to argue against the use of SUPs.

Vice Chair Bevan acknowledged that the project had been reviewed and approved long before his appointment. He asked for clarification regarding Area C going from 2 units per acre to 8 units per acre.

Dr. Pope explained that Neighborhood Residential was different than Attached Residential. He related that the first column shown was what the developer had originally purchased. He reported that as a member of the Planning Commission at the time, he thought that a 33% reduction was a pretty good compromise for a developer who was already making many concessions. He recognized that over 800 homes was still a lot of homes, but the developer owned a lot of land. He added that it could have looked much different, especially considering what the General Assembly was moving towards with respect to affordable housing construction requirements.

Chairwoman Hillegass thanked Dr. Pope for his information. She observed that Mallory Pointe was not going to build over 800 houses in one week.

Dr. Pope acknowledged that the information he supplied was how he personally interpreted it, and it may not be the way others interpreted it. He related that the more the General Assembly made it possible for automatic approvals, the more that they should implement ways to keep themselves in the game.

Mr. Cutler thanked Dr. Pope for his work with the data. He noted that they could pass anything they wanted, but it would be irrelevant if the General Assembly overrode their action. He reported that he had received a wealth of information from concerned citizens after their last meeting, and he would compare the two sets of data. He recognized that using Mallory Pointe was not a good example of why SUPs were bad could be true. He stated that he did think Mallory Pointe was a good example of land that was zoned in a certain way for many years, with people who moved in around it expecting that land to remain zoned Community Conservation. He recognized that a SUP for density was not needed due to the developer getting the Town to approve a change in the zoning. He pointed out that whether it was allowing a zoning change to increase density or allowing a SUP to increase density, both were things that had motivated voters. Mr. Cutler said that surveys completed by the local paper, by the County, and by the Town showed that type of growth was not what the current citizens of the Town of Smithfield wanted. He reiterated his appreciation for the data given, and said that he would address his comparison at the next month's meeting.

Dr. Pope reported that the reason that most of the areas in question were zoned for Community Conservation was because they would have to go through the rezoning process in order to develop. He continued that if those areas had been zoned appropriately, then they would not have to come before the Town for approval. He said that the land had been zoned in the most restrictive way in order to ensure that the Town had a say in what was put there.

Mr. Bryan recalled that the developer in question had viewed Suburban Residential Cluster favorably. He said that one reason that zoning had been approved was because the area had an issue with affordable housing, and that was the developer's concession to address the issue. He also referenced that at the State and Federal levels there was a movement to address the lack of affordable housing. He said that in the case of Mallory Pointe, the town had been ahead of that movement. He agreed that an overlooked point of that project was that the developer had offered many traffic improvements, many of which had already begun.

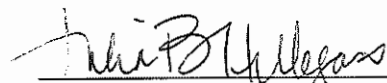
Mr. Yoko stated that if they wanted to ensure that they were in compliance with the State, and they did not want an influx of residential growth, then they needed to go ahead and change the Future Land Use Map (FLUM). He pointed out the FLUM had many areas that were tagged for residential development. He reiterated Dr. Pope's statement that the reason those areas had been zoned for Community Conservation was so that they would have to go through the rezoning approval process.

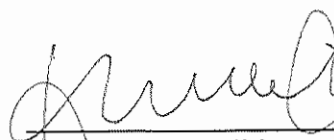
6. Community Development & Planning Director's Report

Mrs. Clary gave a reminder that there would be a Joint Meeting held between the Town Council and Planning Commission on Wednesday, April 22nd, at 6:00 pm.

7. Adjournment

The meeting adjourned at 7:17 pm.



Julia Hillegass - Chairwoman

Tammie Clary - Director of Community
Development and Planning