

TOWN OF ABINGDON
PLANNING COMMISSION
REGULAR MEETING
MAY 23, 2016 – 5:30 P.M.

The regular meeting of the Abingdon Planning Commission was held Monday, May 23, 2016, at 5:30 p.m. The meeting was held in the Municipal Building, Council Chambers.

Mr. Wayne Austin, Chairman, called the meeting to order. Mr. Mathew Johnson called the roll.

ROLL CALL

Members Present: Mr. Wayne Austin, Chairman
Mr. Gregory W. Kelly, Secretary
Councilman Rick Humphreys
Ms. Janice Reeves
Ms. Maggie Costello

Comprising a quorum of the Commission

Members Absent: Dr. Chris Burcher
Mr. Kenneth Shuman, Vice-Chairman

Administrative Staff: Mr. Matthew Johnson, Director of Planning
Mr. Sean Taylor, Assistant Town Planner
Mrs. Jenny Carlisle, Planning Department
Mrs. Deborah Icenhour, Town Attorney
Mr. John Dew, Director of Public Services

Visitors: Mr. Stephen Spangler
Ms. Cindy Patterson
Mr. Samir Patel
Mr. Wayne Craig
Mr. Barry Proctor
Mr. Joe Levine
Ms. Donna Levine
Mr. Jason Berry
Ms. Janan Hurst
Mr. Lewis Hagy
Ms. Lori Wagner Campbell
Mr. Lake Wagner
Mr. Joe LeVine
Mr. Nick Proctor
Ms. Nan Harman
Mr. Kevin Sanderman
Mr. Steven McNary

(2) Approval of minutes: Regular meeting, April 25, 2016.

Councilman Humphreys moved to accept the minutes, as presented. Second by Mrs. Reeves. All in favor with Mr. Kelly abstaining due to absence. None opposed. Motion carried.

Approval of minutes: Regular meeting, May 9, 2016.

Mrs. Reeves moved to accept the minutes, as presented. Second by Councilman Humphreys. All in favor, none opposed. Motion carried.

(3) Public Hearing: Proposed Rezoning; **Marathon Realty Corp., owners**; Application to rezone property located between Green Spring Road and Cummings Street, bordering the east side of the street and known as "The Meadows," complex consisting of 31,905.1 ± square feet and being a portion of 33.189 acres from B-2, General Business District, to AFOS. **Tax Map No. 021-1-5B.**

Mr. Johnson explained the boundary line adjustment request which will allow the outparcel closest to the house to be shifted slightly. This is close to an even swap from B-2 to AFOS and AFOS to B-2 and will allow more room for the house. The old lot was approximately 10 - 15 feet from the house and the new lot is 164 feet from the house. It will also help with ingress and egress and view shed.

At this time Chairman Austin opened the public hearing. There were no comments from the public. The public hearing was closed.

Mr. Kelly mentioned that this will give further separation to the historic home, which is slated to be preserved, makes the flow of the land more appealing, will make the sports complex look more attractive, and he sees this as a positive adjustment.

Chairman Austin brought to the attention of the Commission that the minutes from April 25, 2016 recorded a question from Mr. Barry Proctor as to whether or not a voting disqualification was warranted for both the Town Manager and member of the Town Council, as their interests may be conflicted. He stated that he sought and received a legal opinion and has forwarded that to Mr. Proctor. The legal opinion stated that no disqualification was warranted. He then asked if there was a motion on the request. Mrs. Reeves moved to accept the rezoning and boundary change, as presented, recommending approval to Town Council. Second by Councilman Humphreys.

Roll call vote as follows:

- Mr. Kelly- Aye
- Councilman Humphreys- Aye
- Ms. Costello- Aye
- Chairman Austin- Aye
- Ms. Reeves- Aye

All in favor. Motion to recommend approval of the rezoning to Town Council approved. This item will be

heard at the June 6th Town Council meeting.

* * * * *

- (4) Certificate of Appropriateness: **Premier Hospitality, LLC., Comfort Inn, owner**; 170 Jonesboro Road, Abingdon VA 24210; **Samir Patel representative**; 1093 Ole Berry Drive, Abingdon, VA 24210; Application for Certificate of Appropriateness for Exterior Change, **located at 170 Jonesboro Road 104C2-5-6C.**

Mr. Johnson introduced the application for exterior change on the Comfort Inn hotel owned by Samir Patel. The request is to paint the stucco sections of the building a blue gray color.

Mr. Patel addressed his application stating that he will be leaving the brick as is. Since he last came before the Commission with a request from the hotel corporation to stucco the entire exterior of the brick building, he has been able to negotiate with them and they have agreed to allow him to repaint the existing stucco portions of the building into a blue gray color and leave the brick as is. The specific Sherwin Williams color number will be sent to staff. He will have the work completed by the end of August.

Councilman Humphreys moved to grant Mr. Patel approval to paint the existing stucco portions of the building in a blue gray Sherwin Williams color, subject to staff approval. Second by Mr. Kelly. All in favor, none opposed. Motion carried.

* * * * *

- (5) Certificate of Appropriateness: **Dutt and Wagner of VA, Inc., owner**; P.O. Box 518, Abingdon, VA 24212; Application for Certificate of Appropriateness for demolition, **located at 1214 West Main Street, Abingdon, VA 24210, Tax Map No. 104C2-4-1.**

Mr. Johnson introduced the application for demolition of a building that is currently used for storage on the Dutt and Wagner property. It is not appropriate for living any longer and they would like to remove it from the property.

Councilman Humphreys asked if there are any screening requirements for the property due to it being in the Entrance Corridor. Mr. Johnson replied that they could put screening conditions on the approval if they wished.

Mr. Lake Wagner, of Dutt and Wagner, addressed the application and stated that they have no future intended use for the building, they would just like it removed from the property. They would like to have the work done as soon as possible.

Mr. Kelly mentioned that it is zoned B-2 therefore it would have to come back before the Commission for any future use.

Councilman Humphreys moved to approve the demolition, subject to staff review of a screening and buffering zone, which would include 3 sides of landscaping. Second by Mrs. Reeves.

Further discussion took place with Mr. Wagner stating that they had planned to remove the building and

keep the grass hill maintained. Councilman Humphreys stated that they would like to see more than that and asked them to provide a landscaping plan, which would be approved at the staff level.

All in favor, none opposed. Application for demolition approved.

- (6) Discussion item: **Marathon Realty Corp., owners; Stephen Spangler, representative; Building elevations, architectural review.**

Mr. Stephen Spangler introduced the discussion topic of the building elevation and architecture. They are hoping to submit the actual Certificate of Appropriateness application at the June Planning Commission meeting; therefore they are requesting any additional comments or suggestions the Commission may have at this meeting.

They have added architectural elements in the style of the Barter Theater, and changed the brick color. They have reduced the signage significantly, "Food City" is 4 ft tall, and the other signage is also significantly reduced. The rear of the Food City building is dressed up similarly to the front, based on Councilman Humphreys comment, and also acts as a mechanical screen to the units on the roof. The base of the building will be full stonework.

The Gas and Go will not be attached, as previously stated. That proved to be problematic due to the pharmacy location, but it will have a stone base with brick columns.

Retail front One and Two on the extended Cook Street have incorporated entablature, black awnings, brick, and stone work. They have also incorporated planter boxes on the sidewalks.

All four sides of the buildings are brick and they would like to have rear signage. They will submit a comprehensive signage plan with their COA application as they want all outparcel signs to be uniform.

Councilman Humphreys stated that he likes the low profile, the detached buildings, and the landscaping, as it shows they are trying to do the best for the community. He mentioned that they should work with staff on the rear signage.

Mrs. Costello stated that she thinks they are improving, but that there is still a lot left to do to add more green. She mentioned that she does like the brick.

No further comments from the Commission.

- (7) Public Comment.

Mr. Wayne Craig, 204 Glenrochie Drive, approached the podium and spoke about the inadequacies in the traffic study that was done. He asked that a new traffic study be completed in order to fill in the inadequacies and get the correct traffic information from a consultant.

Ms. Janan Hurst, 185 Longview Drive, stated that getting out onto Cummings Street can take up to 20 minutes at certain times of the day and that if this is not corrected it will decrease property values. She

stated that she hopes they will get an independent traffic study.

Mr. Barry Proctor, 927 Woodlawn Terrace, stated that he doesn't think there is anything that disqualifies Mr. Kelly and Councilman Humphreys from voting, that nothing is 'wrong,' it just appears to be improper. This board is supposed to be independent, and it is just good policy to not have the overlap because of how the public perceives it. He mentioned that he appreciated that Mr. Shuman abstained from the last vote due to his relationship with the applicant.

Joe LeVine, 340 and 350 Green Spring Road, stated that he understands the property will be subdivided therefore it will have to go through the Commission but doesn't understand how plans are being made for two hotels and five restaurants prior to the subdivision. He also stated that it would be helpful to show the development in relation to the new roads so the traffic flow could be better understood.

Cindy Patterson, 410 Green Spring Road, asked about the other boundary adjustment and what is happening to the other line. She said she would also like to see what will be done with the roads.

Mr. Johnson replied that it is less than a 10th of an acre swap for the boundary adjustment, and that the roads are still under review with VDOT.

Nan Harmon, 498 Green Spring Road, stated that she's concerned about the expanded map and how the roads will be in relation to her land. She said it seems like there is other land acquisitions that will happen, she's concerned about how they are going to get in and out of the property, and how it will connect to the Magic Mart parking lot. She said that she has never had anyone contact her about any of her questions, and would appreciate if someone would get back with her regarding them.

Mr. LeVine asked Mr. Spangler how many acres of land this development represents, the answer to which is 11.2 acres. The other parcels which will be sold represent 22 acres, the new owners of which will have to come back before the Commission and go through the same process. Mr. LeVine then stated that he thinks the traffic study is important and asked if they could recommend that action is taken to make that happen.

* * * * *

(8) SWOT analysis.

Conversation regarding the plan submittals that VDOT is currently reviewing took place. Mr. Kelly stated that they did an impact study previous to this submittal, that VDOT has studied this location off and on for the past decade, and that some of the data Marathon used came from VDOT. Mr. Dew stated that VDOT reviewed the Traffic Impact Analysis that was performed and found it was acceptable. He clarified that the road project and retail project are separate projects. He also mentioned that the information is about 90% reviewed, and once that is complete the road project can go out to bid. Mr. Austin asked what Mr. Dew's thoughts on having a consultant review the TIA are, to which Mr. Dew responded that the requirement has been met so it comes down to what the Commissions wishes are. Mr. Kelly added that as the owner of the sports complex, the Town will have to do its own TIA down the road and if needed at that time, a consultant will be employed. Mr. Austin asked if it would make sense to do it all simultaneously to which Mr. Kelly responded that we are headed in that direction. Conversation ensued.

Mrs. Costello asked for a gentle reveal of what things might end up looking like on the next Planning Commission agenda, to which Mr. Kelly responded that they can show what they have been looking at, but that might not end up being what it turns out to be.

Councilman Humphreys stated that he would be glad to make a recommendation to kick this up to Town Council for review and determination that a consultant be employed to review the full development. Chairman Austin said what he thinks that what they would want to do is make a request or recommendation to the Town Council asking that a consultant be employed regarding the traffic and provide the information that they've discussed here tonight. He stated that he would entertain a motion as such.

Mr. Kelly requested some clarification and asked if this is basically to review the existing study that has been submitted, that VDOT has, or to move forward with hiring our own consultant for the full build out of the development. Chairman Austin responded that it would be to move forward with hiring a consultant for the full build out of the development. He also stated that he would like to relay to Town Council the concerns the public has spoken about in regards to traffic and be sure those are properly addressed. Councilman Humphreys requested that a synopsis of the public comments be submitted so they may be included in the Town Council packets.

At this time Mrs. Costello moved to recommend that Town Council employ a consultant to review the Towns portion of this development. Second by Mrs. Reeves. All in favor. None opposed. Request will be forwarded to Town Council.

Mrs. Reeves shared a draft letter with the Commission that she would like to go to the Commonwealth to support exit 17 improvements. She then moved that the Planning Commission accept the letter with chairman's signature and forward on. Second by Mr. Kelly. All in favor, none opposed.

Councilman Humphreys mentioned the Certified Planning Commissioner training and Mr. Kelly added that it is the desire of Town Council that all commissioners attend at some point.

Mrs. Costello mentioned that she feels like they need to look at the Green Spring/Pecan area as the next downtown area because she doesn't know how long the current downtown is going to carry the town. Conversation ensued.

(9) Director of Planning Report. No Director of Planning report at this time.

There being no further business, Mr. Kelly moved to adjourn. Second by Mrs. Reeves. All in favor, the meeting adjourned at 7:00 p.m.


Mr. Gregory W. Kelly, Secretary


Wayne Austin, Chairman