

**TOWN OF ABINGDON
PLANNING COMMISSION
REGULAR MEETING
February 27, 2017 – 5:30 P.M.**

A called meeting of the Abingdon Planning Commission was held Monday, February 27, 2017, at 5:30 p.m. The meeting was held in the Arthur Campbell Room, Municipal Building.

Wayne Austin, Chairman, called the meeting to order. Sean Taylor called the roll.

(1) ROLL CALL: Sean Taylor, Assistant Town Planner

Members Present: Wayne Austin, Chairman
Gregory W. Kelly, Secretary
Maggie Costello
Rick Humphreys
Kenneth Shuman, Vice-Chairman

Comprising a quorum of the Commission

Members Absent: Jan Reeves

Administrative Staff: John Dew, Director of Public Services
Sean Taylor, Asst. Town Planner
Deborah Icenhour, Town Attorney

Visitors: Leann Meadows
David Creekmore
Ben Able
Kevin Heath

(2) Approval of minutes: Called meeting, January 23, 2017.

Kenneth Shuman moved to accept the minutes, as presented, seconded
Rick Humphreys with the roll call as follows:

Maggie Costello: Aye
Kenneth Shuman: Aye
Wayne Austin: Aye
Rick Humphreys: Aye
Greg Kelly: Aye

- (3) **Proposed Rezoning; Glenrochie Country Club Inc., owners; 200 Country Club Drive. Abingdon, VA 24210, application to rezone a portion of property, namely Tax Map No. 105-A-46A, consisting of approximately .600 acres or 26,136 square feet more or less from AFOS, Agricultural, Forestal and Open Space District to R-1 Residential District.**

Wayne Austin reopened the recessed public hearing from the January 23rd Planning Commission meeting.

David Creekmore, resident at 833 Glenveiw Dr., advised that three lots are currently for sale in the Fox Pointe subdivision and his concerns of creating an additional lot when other lots are available.

Ben Able, General Manager of Glenrochie Country Club presented a site plan showing the future location of a house on the proposed new lot. Mr. Able stated that Mr. Creekmore had been invited to the last Country Club Board meeting and offered the lot to him for purchase, if it is created.

Kenneth Shuman spoke on the recommendation from the planning staff to approve the rezoning.

David Creekmore, presented a petition opposing the rezoning signed by residents of the Foxpointe Subdivision.

Maggie Costello questioned if other lots were being carved out throughout the development recently or is this the first in so many years. Sean Taylor responded that this was the first since Fox Pointe was first subdivided.

Greg Kelly asked Ben Able if Glenrochie had ever contemplated a phase II development in Fox Pointe when it was originally developed. Ben Able replied that it was designed to be the current subdivision that it currently is.

Wayne Austin asked Ben Able what could be done for the drainage issues draining towards Mr. Creekmore's home. Ben Able stated current laws that are in place that whoever purchases the lot cannot encroach him with any more water than currently exists. Ben Able further stated he feels most of the water will go into the road and into the storm drains.

Commission members asked John Dew, Director of Public Works, for his opinion towards the water issue. John Dew stated that the Town is a little limited when it comes to a residential development, as far as storm water regulations. John Dew further stated that he did visit the property and there is a large portion that does drain toward the house below. John Dew agreed with Ben Able, with the proper design some of the drainage from the house can be directed toward the road, which would flow into a curb and gutter segment. Building a home would increase the runoff and there are certain things that can be done to minimize that, but should be taken into consideration of the design of the house. John Dew the referred to Town Attorney Deb Icenhour if she knew of any laws about water running onto a neighbor's property. Deb Icenhour stated that she knew of common laws standing, that you cannot interrupt the flow of water. John Dew then stated that if a building design was submitted with a building permit, we could certainly review it, and offer comments.

Greg Kelly stated since he has been Town Manager, Town Attorney, and in private practice, that there have been two or three instances where property has been built by one owner that adjoined existing structures that subjected the town to legal liability in those situations. One was a new subdivision, build beside of an existing subdivision, and subjected the town to liability as a result of the additional run off of water onto the property. Mr. Kelly feels the property owners of Fox Pointe, thought these were going to be

the only lots that are going to be here.

Being no further discussion Wayne Austen closed the Public Hearing.

Maggie Costello made a motion to recommend to Town Council to deny the request for rezoning, seconded by Greg Kelly. The roll call was as follows:

Maggie Costello: Aye
Kenneth Shuman: No
Wayne Austin: No
Rick Humphreys: Aye
Greg Kelly: Aye

The recommendation will be made to Council members at the April 3rd, 2017 regular Town Council meeting.

(4) Certificate of Appropriateness: Highlands Glass Company, owner; 763 Cummings Street, Abingdon VA 24210; Leann Meadows representative; Application for Certificate of Appropriateness for Exterior Change, located at 918 East Main Street.

Sean Taylor gave an overview of the request for COA. Leann Meadows representative for Highlands Glass, presented her proposed changes to the outside of the building. After brief discussion by Planning Commission members, Kenneth Shuman made a motion to approve the Certificate of Appropriateness as presented, second by Rick Humphreys. The roll call was as follows;

Maggie Costello: Aye
Kenneth Shuman: Aye
Wayne Austin: Aye
Rick Humphreys: Aye
Greg Kelly: Aye

(5) Public Comment: None

(6) Updates from Staff

John Dew, Director of Public Works, introduced a proposal for the replacement of the water tanks on Leonard Street.

Kevin Heath, representative for the Washington County Service Authority, presented the need for replacing the tanks and stated that the Service Authority does have funding for the project. Currently the project is early in the design phase. The height of the existing tanks is 36' and 32' in height respectively. The new tank being proposed will have a 1.5 million gallons' capacity and be 45' in height. Mr. Heath further explained the need for replacing the aging tanks.

Planning Commission members stated that they wished the new tank to be landscaped appropriately to disguise it from public view.

(7) Discussion

(a) Mission Statement

Deb Icenhour, Town Attorney, led the Planning Commission members in a discussion of the creation of a "Mission Statement" for the Planning Commission. Deb Icenhour read the draft mission statement to the Planning Commission members;

The Town of Abingdon, Virginia's Planning Commission is a state mandated body of seven (7) - fifteen (15) appointed or designated members per the Code of Virginia, 1950, as amended, §15.2, Chapter 22. The mission and primary goal of the Planning Commission is to promote the orderly development of the Town by serving in an advisory capacity to the governing body. Typical functions include the preparation of a comprehensive plan for the Town Council Consideration, making recommendations on rezoning, certificate of appropriateness applications, approval of subdivisions plats, and site plans pre Article IV, Division 1, §2-301 -§2-381.

Maggie Costello stated that the mission statement also includes the words "health, safety, welfare & overall quality of life". Deb. Icenhour stated she would revise the statement to include the suggested language from Mrs. Costello.

(8) Adjourn:

Rick Humphreys made a motion to adjourn the Planning Commission meeting, seconded by Maggie Costello. The roll call was as follows:

- Maggie Costello: Aye
- Kenneth Shuman: Aye
- Wayne Austin: Aye
- Rick Humphreys: Aye
- Greg Kelly: Aye

Approved

Time: 6:40PM

(8) Next regularly scheduled meeting will be March 27, 2017 at 5:30pm In the Arthur Campbell Room – 1st Floor



 Wayne Austin, Chairman



 Mr. Greg Kelly, Secretary