

**TOWN OF ABINGDON
PLANNING COMMISSION
MONDAY, JULY 23, 2018 – 5:30 PM
ARTHUR CAMPBELL MEETING ROOM – MUNICIPAL BUILDING**

A meeting of the Abingdon Planning Commission was held on Monday, July 23, 2018 at 5:30 pm in the Arthur Campbell Meeting Room.

A. Chairman Wayne Austin called the meeting to Order.

B. Roll Call – Jason Boswell, Interim Director of Planning

Members Present:

Dr. Ramsey White
Mr. Wayne Austin
Mr. Kenny Shuman
Mr. Scott Wilson
Mr. James Anderson
Mr. Tony Sullivan

Comprising a quorum of the Commission

Members Absent:

Mr. Al Bradley

Administrative Staff Present:

Mr. Tony Sullivan – Interim Town Manager
Mr. Jason Boswell – Interim Director of Planning
Mr. Matt Bolick - Director of Public Services and Construction
Mr. John Holbrook – Interim Chief of Police
Mrs. Janice Dornon – Administrative Assistant

C. APPROVAL OF MINUTES

Approval of Minutes: Regular Meeting, July 23, 2018

On motion of Mr. Wilson, seconded by Mr. Shuman the minutes of June 25, 2018 were accepted with corrections.

The roll call vote was as follows:

Dr. White	Aye
Mr. Austin	Abstain (wasn't present at the 6-25-18 meeting)
Mr. Shuman	Aye
Mr. Wilson	Aye
Mr. Anderson	Aye
Mr. Sullivan	Aye

D. CERTIFICATE(S) OF APPROPRIATENESS

- 1. Application for Certificate of Appropriateness; Beef O Brady's, 21st Century Cinema Inc. LLC, P.O. Box 2226, Abingdon, VA 24212, Owner.** Expansion of the Cinemall's existing tenant space to accommodate a Beef O Brady's franchise restaurant. Three separate expansions. One will require six existing accessible parking spaces to be relocated. One will leave 11' - 4" of sidewalk depth in front of the public entrance to the restaurant. One will be in an existing service area to the rear of the building and will not be visible from the entrance corridor. The Cinemall's existing canopy will be shortened by 34' - 6" in length. Located at **721 E. Main Street, Abingdon, VA.** Currently Zoned B-2, Tax Map No. 007-1-1

Mr. Steve Weston represented Beef O Brady, which is located at 721 E. Main Street. He stated that he had several areas to discuss.

1. Landscaping – additional landscaping will be added to the site. The site plan lists the materials to be used. Mr. Michael Haslam said that an additional six trees would be planted in curb space in two rows of three. This design will not eliminate any parking spaces.
2. Parking – Mr. Weston asked Mr. Haslam to speak to the board about the parking spaces. Mr. Haslam said that they would be moving the six handicap spaces to the side of the building along with the two existing van handicap accessible spaces therefore creating eight van handicap accessible spaces. Having a 2% slope or less as required.
3. Signage – The proposed sign will have East & South exposure. They are only asking for one sign that can clearly be seen from the street. Sign will be affixed to the front of the building. Sign size is appropriate for building dimensions. The sign request is for a sign the same size as the one used at most of the 200 other Beef O Brady locations.

During the discussion Interim Chief of Police, Mr. John Holbrook was asked to present a report relating to vehicle crashes at the entrance/exit of the property located at 721 E. Main Street. Mr. Holbrook reported that there have been three accidents at this property since 2004. One involving a car and pedestrian and two involving other vehicles. He also included the traffic count from 2017 using the area from Tanner Street and Thomson Drive; more than 13,000 vehicles pass this entrance/exit on any given day. Mr. Sullivan asked Mr. Holbrook, being a traffic enforcement officer if making a left turn at this property deemed a problem. Mr. Holbrook stated that he did not. Mr. Holbrook did check the crash report for VDOT, which is located directly across the street. There has only been one crash since 2007 with the vehicle making a left turn.

Mr. Austin said that there is a turning lane there for this purpose.

Mr. Sullivan asked what could be done so that a patron would not have to be rescheduled until the next Planning Commission meeting, a month later. Mr. Shuman stepped in to say that at the last meeting the signage code was unsure, this is the reason that Beef O Brady is back presenting at tonight's meeting. The ordinance is not clear about a sign being mounted to a building or hanging from the building. Mr. Sullivan asked Mr. Boswell about sign regulation and Mr. Boswell stated that the code does not specifically address wall mounted signs.

Mr. Weston told the board that when the Cinemall was first opened that they only had four theaters. They now have twelve theaters meaning that they have more show times in more theaters with the new digital movies starting in 2012. Movies can be shown every hour, which spreads attendance to different show times making traffic less of a problem. Even in the early days of the theater, parking was not a problem and neither was traffic. They can use the Roses parking lot for overflow parking.

Mr. Weston also made it clear that they wished to be good neighbors and if the parking and or traffic should become a problem, they would work with the Town to find a suitable solution to that problem.

Mr. Sullivan made the comment that there are several ordinances that need to be reviewed and modified as some of the codes are not clearly stated.

Board decided that a waiver of the requirements should be granted for the number of allowed parking spaces.

On motion of Dr. White, Seconded by Mr. Anderson, Planning Commission members recommended that the COA be approved as presented.

The roll call vote was as follows:

Dr. White	Aye
Mr. Austin	Aye
Mr. Shuman	Aye
Mr. Wilson	Aye
Mr. Anderson	Aye
Mr. Sullivan	Aye

COA was unanimously approved.

On motion of Mr. Shuman, Seconded by Mr. Sullivan, the Planning Commission members recommended that a waiver of requirements should be granted for the number of allowed parking spaces required as presented by Mr. Weston.

The roll call vote was as follows:

Dr. White	Aye
Mr. Austin	Aye
Mr. Shuman	Aye
Mr. Wilson	Aye
Mr. Anderson	Aye
Mr. Sullivan	Aye

The waiver of requirements for the number of parking spaces was approved unanimously.

***Dr. White made the comment that he had counted forty vacant storefronts in the town from the Cinemall to the old Southern States building.

2. Application for Certificate of Appropriateness; First Community Bank, 29 College Drive, Bluefield VA, 24605, Owner. Exterior improvements change the windows and façade of the existing bank building. Located at **271 W. Main Street, Abingdon, VA.** Currently Zoned B-3, Tax Map No. 011-1-84.

Mr. Jim Bundy represented the property located at 271 W. Main Street. Mr. Bundy apologized for not being at the last meeting held on June 25, 2018.

Mr. Bundy verified that they would be replacing all the original windows with new replacements.

Will be changing the front door, finish will look like granite. Will enhance the back entrance door. Take down part of the drive-thru. Increase the roofline in order to shade the ATM.

Signage will be added to control traffic flow. There will be one traffic entrance on the east side. To exit you will be able to go around and go through the drive-thru, or out

through the alley. Parking will be on Main Street, at the back of the building or on the west side of the building.

There will be no entrance at the front of the building. Do not enter signs will be on the main street side of the building. Foot traffic entrance will be on the east side of the business. Patrons will be able to enter the building from the side and back entrances.

Landscaping will be on the alley side of the building. This will cut down the size of the current existing entrance.

He apologized for the confusion over the type of replacement windows as the plans have changed several times during the planning stage.

They will make the signage visible.

On motion of Dr. White, Seconded by Mr. Shuman, Planning Commission members recommended the approval of the COA as presented.

The roll call vote was as follows:

Dr. White	Aye
Mr. Austin	Aye
Mr. Shuman	Aye
Mr. Wilson	Aye
Mr. Anderson	Aye
Mr. Sullivan	Aye

COA was unanimously approved.

E. DISCUSSION TOPIC:

1. Comprehensive Plan Review – Update

Mr. Boswell told the board that it is time for a Comprehensive Plan Review Update as it has been five years since the last one was completed. The Code of VA stipulates that the Comprehensive Plan shall be reviewed or updated every five years. The last revision was completed in sections in house by the board. The Town of Abingdon has allocated \$17,000.00 from the 2018-2019 yearly budget for the Comprehensive Plan Review update and another \$17,000.00 from the 2019-2020 yearly budget to finish the update. Mr. Shuman suggested that they hire a consulting firm to review and update the plan. The update will depend on the RFP – Request for Proposal. The Plan should include directives as to how things should be developed. Town staff recommends a sectional update with the transportation plan and land use map being the focus.

F. PUBLIC COMMENTS – None

G. UPDATES FROM STAFF AND PLANNING COMMISSION MEMBERS

1. Properties belonging to Ms. Ann Hutton: staff update on progress with cleanup and a solution to the safety issue with the railing located at the Valley Street property. Mr. Boswell and Mr. Bolick are to suggest ways to rectify the safety issue.

Mr. Boswell told the board that Ms. Hutton is complying with the ordinances and is cleaning up the Valley Street property. The trees have been removed out of the front yard. The property is very much improved. The town staff will be watching the progress to see that it continues.

The safety issue of the railing will be rectified. Matt Bolick stated that he is 99% sure that the town owns the right-o-way and that this safety issue is on his list of items to have corrected during the 2018 summer season. They will revisit reconstruction of the sidewalk in a couple of years.

2. Kroger Mid-Atlantic Division: board wishes to see if the approved times of delivery were on a COA or granted with a Special Permit. Code Compliance is to keep an eye on the fueling center delivery and safety issues. The board would like an update to see if the Kroger Fuel Center is in compliance with the town code.

Kroger's has still not responded to the letter sent to them by Mr. Boswell on May 7, 2018, please see except of letter at the bottom of this update. Mr. Boswell has been in touch with Mr. Childress of Kroger. Mr. Childress said he would be in contact with the responsible personnel on this matter. The Fuel Center was approved via a COA and not a Special Use Permit. The Planning Commission granted the COA contingent on delivery hours by fuel tankers. Kroger's then appealed the Planning Commission decision to the Town Council. Mr. Shuman is not sure that Kroger's is doing as requested in the approved COA and Town Council recommendations.

Interim Chief of Police, Mr. John Holbrook gave a vehicle crash report stating that there have been four accidents in the last five years. Three were turning left, one turning right. No fuel tankers were involved in any of these incidences.

The fuel tanker deliveries are based on a computer generated automatic refill system.

Mr. Austin stated that first, Kroger's needs to respond to the letter sent on May 7, 2018. Second, recognize that their deliveries times are outside of the recommended delivery times. They should not have fuel tanker trucks on Cummings Street during peak hours.

Board agreed that they need legal representation to advise them on the direction they need to proceed in. After the board has been given legal counsel, they can proceed to present the issue to the Town Council for further direction.

Mr. Shuman advised the board of the safety issues of the parking spaces at the side of Shoney's. This is an accident waiting to happen with patrons backing up with the fuel pumps behind them and thru traffic.

*** Excerpt from the letter sent May 7, 2018 to:

Kroger Mid-Atlantic Division Office
3635 Peters Creek Rd NW
Roanoke, VA 24019

Cummings Street is one of the most dangerous streets in our town and becomes very congested during the times set forth as "non-delivery times" for your fuel tankers. These were important issues in 2013 and they are even more important now. The times during which NO DELIVERIES are to take place are:

- No deliveries between: 7:00 AM – 9:00 AM daily
- No deliveries between: 11:00 AM – 1:00 PM daily
- No deliveries between: 3:00 PM – 6:00 PM daily

***Mr. Shuman addressed the comment made previously in the meeting by Dr. White about counting forty vacant storefronts in the town. The EDA, Economic Development Authority, has surveyed the town and found multiple empty storefronts. EDA will be having a meeting on August 16th. They will be addressing this issue and working on a revitalization plan to present to the September 2018 Town Council. They are presently working with Tonya Triplett and Jayne Duehring.

Mr. Shuman said the EDA had surveyed more than a dozen businesses in town to see what is needed to help reinvigorate Main Street. More money will be used for façade renovations as well.

Dr. White said that when he was trying to open up a new business that he received the run around, being sent from place to place in order to get the permits he needed. No one saying thank you for bringing your business to town. No thank you for collecting my taxes. What can be done to streamline this process?

Mr. Sullivan wanted to know if the town government process of opening a new business is the roadblock or is it something else.

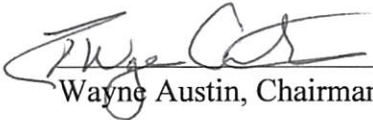
H. ADJOURN

On motion of Mr. Shuman, Seconded by Mr. Anderson, recommended the meeting be adjourned with no further business to address.

The roll call vote was as follows:

Dr. White	Aye
Mr. Austin	Aye
Mr. Shuman	Aye
Mr. Wilson	Aye
Mr. Anderson	Aye
Mr. Sullivan	Aye

Adjourn Time: 6:50 P.M.


Wayne Austin, Chairman


Tony Sullivan, Secretary

Next regularly scheduled meeting will be August 27, 2018 at 5:30 pm in the Arthur Campbell Room, 1st floor of the Town Municipal Building.