

**TOWN OF ABINGDON
PLANNING COMMISSION
MONDAY, JUNE 25, 2018 – 5:30 PM
ARTHUR CAMPBELL MEETING ROOM – MUNICIPAL BUILDING**

A meeting of the Abingdon Planning Commission was held on Monday, June 25, 2018 at 5:30 pm in the Arthur Campbell Meeting Room.

A. Vice-Chairman Kenny Shuman called the meeting to Order.

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

Members Present:

Mr. James Anderson
Dr. Ramsey White
Mr. Scott Wilson
Mr. Rick Humphreys
Mr. Kenny Shuman
Mr. Tony Sullivan

Comprising a quorum of the Commission

Members Absent:

Mr. Wayne Austin, Chairman

Administrative Staff Present:

Mr. Tony Sullivan – Interim Town Manager
Mr. Jason Boswell – Interim Director of Planning

C. APPROVAL OF MINUTES

Approval of Minutes: Regular Meeting, April 23, 2018

On motion of Mr. Wilson, seconded by Mr. Anderson the minutes of April 23, 2018 were accepted as presented.

The roll call vote was as follows:

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

D. PUBLIC HEARING: SPECIAL USE PERMIT

Public Hearing: Special Use Permit: Timothy & Lydia Hoke, owner, 243 Fugate Street, currently zoned R3. Request to approve plans for an addition to an existing structure in the flood hazard district. Tax Map No. 018-6-37.

Mr. Shuman opened the Public Hearing.

Mr. Hoke represented himself and asked to be able to add an addition for his family of 650 square feet to the existing property located at 243 Fugate Street.

Mr. Humphreys asked Mr. Hoke if he was ok with the revised square footage in order to give the town a water drainage easement. Mr. Hoke was in agreement.

Mr. Shuman closed the Public Hearing.

Mr. Boswell thanked Mr. Hoke and told the board that Mr. Hoke had been very gracious and patience through this lengthy process. During this process, the right-of-way had to be vacated and that the process was a very lengthy one.

Mr. Bundy's letter states that there will be less than 1% rise from the flood study. Mr. Bundy found this to be an insignificant amount and Mr. Boswell agreed with Mr. Bundy's finding.

Mr. Humphreys made a motion that the plans for the addition to the existing structure be approved by the board. A Special Use Permit should be granted.

On motion of Mr. Humphreys, Seconded by Mr. Wilson, the Planning Commission members recommended that the proposed plans for the addition to the existing structure be approved.

The roll call vote was as follows:

Mr. Anderson	Aye
Dr. White	Aye
Mr. Wilson	Aye

Mr. Humphreys	Aye
Mr. Shuman	Aye
Mr. Sullivan	Aye

E. 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 6 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. Michael Haslam, Burwill Construction Company represented Beef O Brady as their general contractor and designer. Mr. Haslam stated that the site plan shows that the project will leave an excess of 11 feet of sidewalk at the front of the property. There are 6 handicapped parking spaces that will be relocated in the front isle where there are already 2 accessible van spaces. Setbacks are adequate with frontage regulations and will have no encroachments in any way. The proposed floor plan of the entry into the building will be aesthetically pleasing from the town's entrance corridor.

Currently the handicap parking spaces have a curb filled with gravel in front. The existing crosswalk will be used for handicapped access, which means that in order to access passage you will have to go back behind the parked vehicles to get to the accessible crosswalk. This is the current way to the crosswalk.

The grade of the existing parking spaces is not 2% sloped as required. The new spaces will be the same grade as the existing spaces.

The current parking count is 289, with 30 of these being allocated for the restaurant as recommended. The board would need to know how many spaces should be allotted for the theatre and how many for the restaurant.

When patrons leave, will they have a problem when turning left onto Lee Highway?

There will be no additional sign/s placed in the front of the property at the Lee Highway entrance to the complex.

Board is requesting the Beef O Bradys to landscape the property with grass medians, trees, shrubs, etc., per the Entrance Corridor Overlay.

After going back and forth, Mr. Haslam stated that he had two different concerns from what the board discussed, 1.) the board was concerned with the parking capacity and 2.) the board wanted to decrease the parking capacity with landscaping.

Mr. Shuman summarized the discussion with 1. Information forthcoming of how many parking spaces will be needed for the theater and the restaurant, 2. Elevation of the parking spaces to match the existing spaces, 3. Issue of the parking area, if it qualifies with the requirements for the Entrance Corridor Overlay.

The board will need to see landscaping plans before they can be approved.

On motion of Mr. Humphreys, Seconded by Mr. Anderson, Planning Commission members recommended that the proposed be tabled until information can be supplied for additional parking, landscaping plan and the elevation of the handicapped parking spaces in the Entrance Corridor Overlay.

The roll call vote was as follows:

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

Beef O Brady is requesting to place the sign on the building. It will be larger than the code stipulates, being 137 square feet, and will need to have a waiver from the board to permit this signage. They will also have to submit a drawing and scale of the sign. It was discussed that with the setback that a larger sign maybe allowed. They can work with Mr. Boswell on the size and specifications of the signage. Mr. White suggested that with the setback that the size of the sign should be fine. Mr. Humphreys suggested that a smaller sign be placed on the building and one at the front entrance.

Beef O Brady should return to the committee with information on the parking spaces, slope of parking space and design, and Landscaping design, sign design, (if not worked out with Mr. Boswell). They would need to come back and apply for a wavier/exception for the signage and parking space number.

Board agreed that the building design is good.

***** Side note: Mr. Wilson brought up the fact that the old Cinemall sign at the road needs to be removed. Someone is mowing and weed eating around the old signage. It would only take a person with a dump truck and a day to remove the old sign.**

On motion of Dr. White, Seconded by Mr. Anderson, Planning Commission members recommended that the sign be allowed to be put on the building and to be larger than specified by town code.

The roll call vote was as follows:

Mr. Anderson	Aye
Dr. White	Aye
Mr. Wilson	Nay
Mr. Humphreys	Nay
Mr. Shuman	Nay
Mr. Sullivan	Aye

The vote was tied. They will have to work with Mr. Boswell and see what the code allows for a sign in the Entrance Corridor Overlay.

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.

First Community Bank did not have a representative present and the board felt that the only thing they could do was to table the COA until someone would be available to represent First Community Bank.

Mr. Humphreys made note that they were using two different period style windows but that there was nothing that the board could do about the design.

On motion of Mr. Wilson, Seconded by Mr. Humphreys, Planning Commission members recommended that the proposed be tabled due to having no representation available to answer questions from the board.

The roll call vote was as follows:

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

E. DISCUSSION TOPIC:

1. Preliminary design, Multi-Use Sports Complex: CHA, Dave Barlow: representative.

Mr. Dave Barlow represented CHA Construction.

Orientation of the site and various components being proposed for the Sports Complex project follows.

Buildings:

1. Multi-Purpose Field – Soccer field, a little less than 200 parking spaces.
2. Baseball / Softball Field – Full size high school field specifications or full size softball field with 200 parking spaces. This type of field can be used for a Little League field, a regulations size field, etc.

Building on the site and there usages:

1. Batting Cage
2. Building J - Two- Story - Concession/Restroom/Score-Table area, Support Space/Mechanical/ Open Room on the second story will have windows facing all four fields, Façade to be Brick and wood left from the previous structure
3. Building I - One-Story - Concession/Restroom, near Soccer field with wrap around porch
4. Maintenance Building - One-Story with storage and support.

Architecture and Architectural Aspects: Presented by Thomas Weems - Architect
Basis material for all buildings will be brick and or wood, green standing seam roof, window frames made of anodized material with a masonry base that would be stained. Material left on the property from the original building will be incorporated into the design of the outside façade on the four buildings on the property.

The property will have extensive fencing, which will be made of black coated fencing to eliminate shine. The intent is to keep roadside ditches to keep the look Green. The grass on all the fields will be a natural grass, no artificial turf.

The property will have public water and sewer. The fields will have the same grade as the Creeper Trail. There will only be one entrance onto the Creeper Trail from the Sports Complex.

Mr. Humphreys mentioned having removable mounds, bases and fencing for the fields to be able to use the fields for multiple uses.

The information presented was a preliminary design as to what direction the Sports Complex is heading.

F. PUBLIC COMMENTS

1. Mr. Joe Levine of 340 and 350 Green Spring Road. Mr. Levine asked if the First Community Bank was in the Historic District, board advised him that it was not. Mr. Levine asked if the Sports Complex would have bleachers installed for the spectators. He was informed that each building would have about 100 seats with available space for field chairs and/or blankets.

2. Ms. Donna Levine of 340 and 350 Green Spring Road. Ms. Levine expressed concern about interstate noise and if the noise on the field would be harmful to the children playing. The noise created from the playing field would not interrupt the Creeper Trail as most games would be played in the evening and the Creeper Trail closes at dusk. She asked if the town would be putting in a noise barrier wall with the Exit 17 construction. This could help with the amount of noise that the children would be exposed to.

G. UPDATES FROM STAFF AND PLANNING COMMISSION MEMBERS

1. Properties belonging to Ms. Ann Hutton have been cited and if the proper actions are not taken in the set time the Town will abate the nuisance.

It appears that someone is coming in and doing work to the property. In this case, we have to give Ms. Hutton the allowed time in order to get the property up to code.

Board believes that the letter is a good first step in this process to enforce the town code. Board also believes that the enforcement of town code should remain consistent for all citizens.

Staff will report on the progress of the clean up on a monthly basis. Ms. Hutton will be instructed to fix the railing at the property located on Valley Street immediately, as it is causing a safety issue. Regardless of who owns the sidewalk the railing needs to be fixed immediately before someone is hurt and the town is held liable because they were aware of a safety issue. Should a warning sign be put up to protect the town in case of an accident? Mr. Boswell and Mr. Bolick are to come up with a way to rectify this problem by the next Planning Commission meeting on July 23, 2018.

2. Kroger Mid-Atlantic Division Office has been contacted and asked to submit a schedule of deliveries for the Abingdon Kroger facility. No response has been sent to the Town of Abingdon Planning Department.

Mr. Boswell has been in touch with Mr. Childress and has made him aware of the code violations. Mr. Childress has directed Mr. Boswell to send all future correspondences to him and he will forward the information on to the proper department.

The board feels that this is a potential safety issue and needs to be addressed.

Staff has been instructed that the Code Compliance officer should visit the Kroger Fuel parking lot and issue a citation stating that the Planning Commission terms are not being met. Code Compliance should check on the safety aspects at the property. Board would like the Code Enforcement Officer to keep an eye on the situation. The board would like an update at the next Planning Commission meeting, (July 23, 2018), to see if the Kroger Fuel Center is in compliance with the town code.

Mr. Humphreys feels that the board needs to have an Attorney present to answer legal questions in such matters. Without legal counsel, board is not sure of what authority they have in this situation.

Board wishes to see if the approved times of delivery were on a COA or granted with a Special Permit.

*** 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

Dr. White left the meeting at 7:02 P.M.

Mr. Humphreys stressed the importance of the committee members getting the proper Planning Commission training.

Mr. Humphreys also handed out town pins to each member in thanks for their service on the Planning Commission, as this is his last meeting.

Mr. Humphreys inquired about the SWOT and if the practice has been suspended. This will be discussed at the next meeting.

Mr. Shuman thanked Mr. Humphreys for his service and friendship while serving

on the Planning Commission.

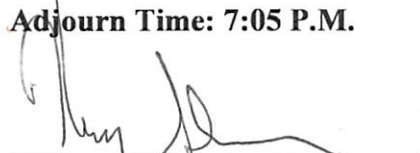
H. ADJOURN

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


The roll call vote was as follows:

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

Adjourn Time: 7:05 P.M.



Kenny Shuman, Co-Chairman



Tony Sullivan, Secretary

Next regularly scheduled meeting will be July 23, 2018 at 5:30 pm in the Arthur Campbell Room, 1st floor of the Town Municipal Building.