

**TOWN OF ABINGDON
PLANNING COMMISSION
MONDAY, MAY 20, 2019 – 5:30 PM
ARTHUR CAMPBELL MEETING ROOM – MUNICIPAL BUILDING**

A meeting of the Abingdon Planning Commission was held on Monday, May 20, 2019 at 5:30 pm in the Arthur Campbell Meeting Room.

A. Chairman Wayne Austin called the meeting to Order

B. Roll Call – Jason Boswell, Director of Planning

Members Present:

Mr. James Anderson
Dr. H. Ramsey White, Jr.
Mr. Al Bradley
Mr. James Morani
Mr. Wayne Austin

Comprising a quorum of the Commission

Members Absent:

Mr. Scott Wilson
Mr. Kenny Shuman

Administrative Staff Present:

Mr. Jason Boswell – Director of Planning
Mrs. Janice Dornon – Administrative Assistant
Mrs. Tonya Triplett – Community Relations Coordinator
Mr. Matt Bolick - Director of Public Services and Construction
Ms. Cindy Patterson – Vice-Mayor

C. APPROVAL OF MINUTES

Approval of Minutes: Regular Meeting, May 20, 2019

On motion of Mr. Bradley seconded by Mr. Anderson the minutes of April 22, 2019 were approved as submitted.

The roll call vote was as follows:

Mr. James Anderson	Aye
Dr. H. Ramsey White, Jr.	Aye
Mr. Al Bradley	Aye
Mr. James Morani	Abstained
Mr. Wayne Austin	Abstained

Minutes for April 22, 2019 were approved as presented.

D. PUBLIC COMMENTS

1. Joe Levine, P.O. Box 1836, Abingdon, VA.

Wished to discuss the COA for Pal's Restaurant. The historic district is important to the charm of the town. The commission worked with Beef O Brady so that they would blend in. Mr. Levine ask that Pals tone down their bright colors.

2. Nan Harmon – choose not to speak at this time.

E. PUBLIC HEARING

1. Public Hearing: Application to construct a three (3) bay truck garage and parking for small trucking company and truck repair. Would work well in M-1 zone as this is already served by tractor-trailer traffic: **James E. Cozart Residuary Trust, Owner; P.O. Box 613 Abingdon, VA, 24212. Property is located at 550 Lowry Drive, Abingdon, VA 24210. Tax Map No. (018-20-2).**

Mr. Austin opened the Public Hearing.

Mr. Boswell stated that the building of the metal 3 bay auto repair garage does comply with the requirements for a special use permit.

Mr. Michael Cozart, 15064 Quail Ridge Road, Abingdon, VA, represented the property located at 550 Lowry Drive.

They are wishing to build a 3 bay garage on an approximately one-acre lot. Building will be a warehouse style.

The traffic generated from this new business should not be significant. They anticipate a few tractor-trailer during the work, three or four on the weekends.

The mechanical work would be performed on the inside of the building and work would be done on the owners vehicles with an occasional repair for someone else.

Mr. Cozart would be leasing the building out to the trucking company. This facility will be able to house 10 tractor-trailers. Lowry Drive is a collector road and is capable of handling tractor-trailers.

Mr. Robert Goldsmith, Peoples Inc., spoke of his concerns to the commission about the proximity of the property located at 550 Lowry Drive to the adjacent properties. He is concerned that the elderly people living in the apartment complex could be interrupted from their peace and enjoyment of their home from the added traffic and business.

Some questions Mr. Goldsmith had for the commission:

- Will this affect the entrance into Lowry Drive?
- What time of day would the mechanical work will be performed; work will be performed inside of the building.
- Is there a plan to put in a buffer to control the noise and to separate the building from the residential area?
- Where on the property would the building be built?
- He is also concerned about the side that is adjacent to the Sheriff's Office.

Mr. Cozart explained to Mr. Goldsmith that when the building is completed that the concerns he has should not be an issue. The building will probably not be visible from the adjacent property. A screen, such as trees, would be placed around the property. A noise ordinance of 11:00 P.M. would be enforced. The building would be approximately 7500 square foot in size.

Mr. Austin closed the public hearing.

Mr. Austin noted that his concern would be trucks sitting outside for long periods as they wait to be repaired.

On motion of Dr. White, Seconded by Mr. Anderson the Planning Commission members approve the Special Use Permit.

The roll call vote was as follows:

Mr. James Anderson	Aye
Dr. H. Ramsey White, Jr.	Aye
Mr. Al Bradley	Aye
Mr. James Morani	Aye
Mr. Wayne Austin	Aye

The Public Hearing was approved for 550 Lowry Drive, Abingdon, VA 24210. It will now be heard at the next Town Council meeting on July 1, 2019.

F. CERTIFICATE OF APPROPRIATENESS

1. Application for Certificate of Appropriateness; Highlands Ski Haus, Inc. Sandra and Gary Clayton, P.O. Box 1944, Abingdon, VA 24212: Owner. Karen Raines, 440 Fairway Drive, Abingdon, VA 24211; Representative. COA to take down the existing vinyl awning and frame and replace with metal gray roof awning with wooden support poles over the entire front business side of the sidewalk and add on a covered front door offset going into the entrance of the building. Located at 909 East Main Street, Abingdon, VA. Tax Map No. (106-5-6).

Karen Raines represented the property located 909 East Main Street.

Highlands Ski Haus would like to replace the existing roof with a gray metal awning type roof, wood post, guttering with lighting underneath.

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

The roll call vote was as follows:

Mr. James Anderson	Aye
Dr. H. Ramsey White, Jr.	Aye
Mr. Al Bradley	Aye
Mr. James Morani	Aye
Mr. Wayne Austin	Aye

The COA for was unanimously approved for 909 East Main Street.

2. Application for Certificate of Appropriateness; McDonald’s 45-0206; Theresa J. Simmons/McDonald’s USA, LLC: Owner. John Connelly/Kristin Lang, Britt, Peters & Associates, Inc. 101 Falls Park Dr. Suite 601, Greenville, SC 29601; Representative. COA remodel of existing McDonald’s restaurant. Located at 525 Cummings Street Abingdon, VA. Tax Map No. (020-12-6).

Ms. Kristin Lang, Greenville, SC represented Britt, Peters & Associate, Inc., who are representing McDonald's and the property located at 525 Cummings Street.

McDonald is requesting a design that would update the brand for the interior and exterior to a more modern design using less color. With this design, they will be removing the existing sunroom. The new design will address ADA compliance to include the parking lot and will connect to the public sidewalk. Bathroom will be made ADA compliant.

An interior kiosk will be added so that customers can place their orders, and their food will be delivered to their table by a McDonald's associates.

The question was posed, is the McDonalds at Exit 17 different from the McDonalds at Exit 14, they are both in the Overlay District. Mr. Camron Bell, the zoning of these two properties does not have any distinction as far as the Entrance Corridor Overlay District is concerned.

After the COA was denied at the last planning commission meeting McDonalds reached out to the Planning Department for guidelines, since there were no clarifications listed in the guidelines as to what traditional architecture is, staff was unable to supply documentation to McDonalds to clarify what the board is expecting from the renovation as to what traditional architectural is. The ordinance is subjectively vague as to what is acceptable. Decision by the board should be kept consistent.

Mr. Camron Bell, the zoning of these two properties does not have any distinction as far as the Entrance Corridor Overlay Distrust is concerned.

As far as traditional architectural, the previous McDonalds was more daring.

The Planning Commission suggested a more suggestive ordinance be written.

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

The roll call vote was as follows:

Mr. James Anderson	Aye
Dr. H. Ramsey White, Jr.	Aye
Mr. Al Bradley	Aye
Mr. James Morani	Aye
Mr. Wayne Austin	Aye

The COA for was unanimously approved.

3. Application for Certificate of Appropriateness; Thom Crosby, CroBar LLC, 1001 Konnarock Rd., Kingsport, TN 37664: Owner Steven K. Hutton and Associates, PC,

245 East New Street, Suite 201, Kingsport, TN 37660; Representative. Site Plan and Exterior of proposed Pals Sudden Service facility. Located at The Meadows, Lot 10. Abingdon, VA.

Mr. Boswell told the board that CroBar had sent in the site plan prior to this meeting and that the plan has been circulated to the Public Works Department and the Planning Department. The only two items that needed attention were the entrance and the signage which were addressed before the May 20th Planning Commission meeting.

Mr. Thom Crosby, CEO of Pals Sudden Service represented the property that will be located in the Meadows on Lot # 10.

Mr. Crosby told the board that he was aware of the design of the Pals building being an issue in the town of Abingdon; he then told them that the design was created by a protégé of Andy Warhol, Tony Barone, was intended to be presented as a statement art piece.

Pals formed a focus group of 9 customers at the Exit 7 location and the majority of their customers did not like the new design, they preferred the original Pals building design. Mr. Crosby said that he answers about two-hundred complaints a month of people complaining about the color of the Pals in Johnson City, TN. The building in Johnson City is all brick, even the hotdog and hamburger.

Pals maintains the lot the building sits on, the far side of the public roadway from their building and they keep adjacent property cleared of trash, etc. When Pals locates into a community they offer free or discounted training to churches, schools and municipalities to their Business of Excellence Institute.

Mr. Crosby stated that since the Exit 14 Pals can be seen from Interstate 81 that it will draw business into Abingdon.

Steven Spangler told the board that the 2016 guidelines state that the building be built out of brick and there is no mention of any color restrictions.

Pals property meets the guidelines for the project and would be located on the road extension of Cook Street, which would not make this a part of the Overlay District. Mr. Bolick informed the board that most of the properties locating at the Meadow would have an address of Cook Street or Robertson Road.

The town of Abingdon already has murals located in town, which are considered artwork.

The added cost to produce an all brick Pals Sudden Service building like the one in Johnson City would be \$250,000.

Mr. Austin said that Pals would bring in revenue to the town and that the only problem you would have with Pals is trying to get in to order, it is always busy. The corporation

has an outstanding reputation and would make for a good corporate neighbor, but that he could get past the hotdog and hamburger on the building but he was not happy with the specific color of the building.

It was asked if the brick could be left a natural color and Mr. Crosby stated that would not meet Pals trademark. Nothing in the Overly District guidelines reference the use of specific color/s, how can a board regulate the use of color when it is not written in the ordinance?

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

The roll call vote was as follows:

Mr. James Anderson	Aye
Dr. H. Ramsey White, Jr.	Aye
Mr. Al Bradley	Aye
Mr. James Morani	Aye
Mr. Wayne Austin	Nay

The COA was approved for The Meadows, Lot # 10. Pals Sudden Service.

G. UPDATES FROM STAFF AND PLANNING COMMISSION MEMBERS

1. Comprehensive Plan Update

Mr. Boswell informed the commissioners that the first community meeting was held on May 7th, they had wished for a bigger turnout, but they received some good feedback. The next meeting will be in July and the venue will change.

EPR will be formulating a statement to be distributed to the board.

2. Zoning Ordinance Update

According to Mr. Boswell, the process is going at full swing. The committee will also be looking at updating at the Entrance Corridor Overlay District Ordinances.

The Planning Commission made a motion for the Town Planner, Jason Boswell, to investigate the revision of the Entrance Corridor Overlay District guidelines-ordinances and to add in more detail.

On motion of Dr. White, Seconded by Mr. Bradley the Planning Commission members recommended that the Planning Director look into updating the Entrance Corridor Overlay District Ordinances.

The roll call vote was as follows:

Mr. James Anderson	Aye
Dr. H. Ramsey White, Jr.	Aye
Mr. Al Bradley	Aye
Mr. James Morani	Aye
Mr. Wayne Austin	Aye

The Planning Director is to look into updating the Entrance Corridor/Overlay District Ordinances.


H. ADJOURN

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

The roll call vote was as follows:

Mr. James Anderson	Aye
Dr. H. Ramsey White, Jr.	Aye
Mr. Al Bradley	Aye
Mr. James Morani	Aye
Mr. Wayne Austin	Aye

Adjourn Time: 6:40 P.M.


Wayne Austin, Chairman


James Morani, Secretary

Next regularly scheduled meeting will be June 24, 2019 at 5:30 pm in the Arthur Campbell Room, 1st floor of the Town Municipal Building.