

TOWN OF ABINGDON  
PLANNING COMMISSION  
REGULAR MEETING  
JANUARY 25, 2010 - 5:30 P.M.

The regular meeting of the Abingdon Planning Commission was held Monday, January 25, 2010, at 5:30 P.M. The meeting was held in the Municipal Building, downstairs meeting room.

Mr. Matthew T. Bundy, Chairman, called the meeting to order. Mr. W. Garrett Jackson called the roll.

ROLL CALL

Members Present: Mr. Matthew T. Bundy, Chairman  
Dr. H. Ramsey White, Jr., Vice-Chairman  
Mr. Gregory W. Kelly  
Mrs. Cathy Lowe  
Mr. Kenneth Shuman  
Mr. Gary Kimbrell  
Ms. Francine Ivery

Comprising a quorum of the Commission

Members Absent: None

Administrative Staff: Mr. W. Garrett Jackson, Director of Planning/Zoning  
Mr. Sean Taylor, Assistant Director of Planning/Zoning  
Mrs. Deborah Icenhour, Town Attorney  
Mrs. Kimberly Kingsley, Legal Assistant  
Mr. John Dew, Director of Public Services & Construction  
Mr. Jim C. Smith, Director of Wastewater Operations/Town Engineer

Visitors: Mr. Charles R. Day  
Mr. Jake (last name unknown) Representative From Jerry's Signs  
Mr. John Rasnake  
Mr. Charles Meade

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(2) Approval of Minutes: Regular Meeting, December 16, 2009

Mrs. Lowe made a motion that the minutes of the regular meeting, December 16, 2009, be approved, with the following correction:

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**Additional information to be added to end of first paragraph as follows:**

**Mrs. Lowe, in discussing the Court Street sidewalk extension, asked that a separate price be given from Crestview Drive to Clark Street.**

Mr. Kimbrell seconded the motion.

VOTE:

Mrs. Lowe Aye  
 Mr. Kimbrell Aye  
 Mr. Kelly Aye  
 Mr. Shuman Aye  
 Dr. White Abstained  
 Mrs. Ivery Aye (Was not present for December 16, 2009 meeting)?  
 Mr. Bundy Aye

The motion passed.

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(3) PUBLIC HEARING - **Capital Improvements Plan**

Mr. Bundy declared the Public Hearing as being open and asked if anyone present would like to address the Capital Improvements Plan, as submitted.

Mr. Jackson, Director of Planning/Zoning, explained that per the Code of Virginia, Section 15.2-2239, the Abingdon Town Council and pertinent staff developed a Capital Improvements Plan for review. This plan prioritized projects within the Town over the next five years. The Planning Commission had the chance to look over the plan and several new priorities were offered. The staff edited the plan to show the additions and modifications to the previous priorities.

It was decided at the December 2009 Planning Commission meeting that a public hearing would be scheduled for the purpose of public input on the Capital Improvements Plan. The Planning Commission heard all input offered at the meeting, with the staff making a recommendation that the Planning Commission recommend to the Town Council, that either the plan be approved as presented, adoption of the plan with specified modifications and additions/deletions or no adoption of the plan.

Mr. Jackson stated that this public hearing was advertised in the Bristol Herald Courier, January 11, 2010 and January 18, 2010, as required.

Mr. Jackson and Mr. Dew explained modifications and additions/deletions that had been taken into consideration for the proposed Capital Improvements Plan.

Mr. Bundy asked if there was anyone else to speak for or against the proposed Capital Improvements Plan. There being no one else to speak, Mr. Bundy declared the Public Hearing closed and asked if there was a motion in terms of the proposed Capital Improvements Plan.

Mr. Shuman made a motion that the Capital Improvements Plan, be recommended to the Town Council for approval, as presented. Mr. Kimbrell seconded the motion.

VOTE:

Mr. Shuman Aye  
 Mr. Kimbrell Aye  
 Mr. Kelly Aye  
 Mrs. Lowe Aye  
 Dr. White Aye  
 Ms. Ivery Aye  
 Mr. Bundy Aye

The motion passed.

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(4) **CONSIDERATION OF PROPOSED SUBDIVISION - Proposed subdivision of property (a three-story frame dwelling (Cave House), a two-story brick dwelling (Little Cave House), and a stone and wood frame building (Building) over an existing cave entrance, owned by Mary Dudley Porterfield, located at 279 East Main Street. Tax Map No. 13 (1) 69.**

Mr. Jackson, Director of Planning/Zoning, explained that on July 1, 2009, the Town’s Board of Architectural Review denied the approval of a Certificate of Appropriateness for the demolition of a brick structure at 279 East Main Street in Abingdon. This structure, owned by Ms. Mary Dudley Porterfield, has suffered from a weak foundation with a threat of collapsing into the “Cave House Craft Shop”.

The Board of Architectural Review asked the Porterfield family to have a structural engineer examine the structure and offer a report on its condition and the financial cost in repairing the structure. Stephen Browning of The Browning Group, LLC has provided such services and deems the cost of saving the structure to be roughly \$137,340.00.

The property owner expressed to the Board of Architectural Review that this is not financially feasible to restore and therefore, they requested permission to demolish the structure for public safety and to preserve the more important “Cave House Craft Shop”.

The structure is a pre-1945 structure, dating back to the mid 1800’s, as shown on the 1880 Grey’s Map of Abingdon. It is believed to have been constructed from leftover brick that James Fields used in other construction projects. The original structure was log.

The decision of the Board of Architectural Review was made on the premise that not all of the efforts to save the structure had been exhausted. The appeal of the Board of Architectural Review’s decision to Town Council resulted in Town council acting on the following section of the Old & Historic District, Article 8 of the Zoning Ordinance, which allows for the sale of property within one (1) year, as follows:

Section 8-13 – Demolition and moving of historic landmarks, buildings or structures.

*8-13-1 Requirement for Board approval. In accordance with Section 15.2-2306, Code of Virginia, 1950, as amended, no historic landmark, building or structure within the Old and Historic District shall be razed, demolished or moved until the razing, demolition or moving thereof is either (i) approved by the Board or (ii) approved on appeal by the Town Council after consultation with the Board; provided, the owner shall have the rights specified in Section 8-13-3 in the addition to the right to appeal.*

*8-13-2 Permissible action by the Board. Pursuant to section 8-4-1, the owner of a landmark, building or structure within the Old and Historic District who wishes to demolish or move the same must first apply to the Board for a certificate of appropriateness permitting demolition or moving, as to which the Board may approve, modify or deny the application. In reaching its decision on that or any other application to demolish or move, the Board may require the applicant to provide post-demolition or moving plans for the affected site and consider whether such plans would be appropriate to the historic and architectural character of the adjoining properties and the district as a whole. The Board shall also consider the criteria listed in the Design Review Guidelines described in Section 8-9-1 of this ordinance, the criteria listed in Section 8-9-3 and any other available information pertinent to its deliberations.*

*8-13-3 Procedure to demolish or move by following sale procedure. If the Board disapproves any application to demolish or move as provided in Section 8-13-2, the owner may appeal the Board’s decision as specified above in Section 8-12. However, in addition to such right of appeal, the owner of a historic landmark, building or structure, the razing or demolition of which is subject to the provisions of Section 8-4 of this Article 8, shall, as a matter of right, be entitled to raze or demolish such landmark, building or structure, provided (i) the owner*

has applied to the Town Council for such right; and, (ii) the owner has, for the period of time set forth below, made and continuously maintained in effect at a price reasonably related to its fair market value, a bona fide offer to sell the landmark, building or structure and the land pertaining thereto to the Town or to any person, firm, corporation, government or agency thereof, or political subdivision or agency thereof, which give reasonable assurance that it is willing to preserve and restore the landmark, building or structure and the land pertaining thereto; and, (iii) no bona fide contract, binding upon all parties thereto, shall have been executed for the sale of such landmark, building or structure and the land pertaining thereto prior to the expiration of the applicable time period set forth in Item c, below. Provided:

a. Notwithstanding the provisions of Section 8-12-3 that stay decisions of the Town Council pending appeal, no appeal to the Circuit Court of Washington County, Virginia by the owner or any other property party shall affect the owner's right to make a bona fide offer under Section 8-13-3.

b. Any offer to sell must be made within one (1) year after the date the Town Council renders its final decision as provided in Section 8-13-4 below, but thereafter the owner may renew his request to such governing body to approve the razing or demolition of the historic landmark, building or structure.

c. The time schedule for offers to sell shall be as set forth in Section 15.2-2306, Code of Virginia, 1950, as such provision may from time to time be amended.

8-13-4 Action required by the Town Council on application to sell under Section 8-13-3. Before making a bona fide effort to sell as provided in Section 8-13-3, the owner shall first file an application with the Town Council that contains a statement identifying the property and stating (i) the source and amount of the proposed offering price; (ii) the date the offer of sale is proposed to begin; (iii) the name and address of any real estate agents or brokers listing or the list the property; (iv) the exact terms and provisions of the deed to be used in the sale, including a legally sufficient description of the land to be offered and the covenants relating to renovation and restoration of the building or structure situated on the property; and, (v) the proposed advertising measures and measures to assure preservation and renovation by a buyer. Provided,

a. The proposed offering price shall be established by an appraisal prepared at the owner's expense by a licensed real estate appraiser. If the Town Council is uncertain that such price accurately reflects fair market value of the property, the Town may, at its sole expense, hire another licensed real estate appraiser within five (5) working days after receipt of the owner's statement. Within the 30-day period commencing on the date the Town hires the second appraiser, (i) the appraiser selected by the owner and the appraiser selected by the Town shall select a third licensed real estate appraiser, whose services shall be paid in equal shares by the owner and the Town; and, (ii) a majority of two of the three appraisers shall establish a price to be recommended to the owner.

b. If in the Town Council's judgment the advertising measures proposed by the owner are inadequate to assure that the offering will reach the maximum possible number of qualified buyers and provide them with a reasonable opportunity to examine the property, the Town Council shall provide the owner with a written response that specifically describes the deficiencies and suggests means whereby they may be corrected. Similarly, if in its judgment the proposed deed fails to comply with the requirements of Section 8-13-3, the Town Council may provide the owner with a written response which specifically describes the deficiencies and suggests means whereby they can be corrected.

Upon receipt of the owner's application the Town Council shall place the matter on the agenda for its next regularly scheduled meeting, at which it will conduct a full and impartial hearing and permit testimony from not only the owner-applicant but interested members of the public. The Town Council may, in its discretion, continue the matter from time to time pending a showing to the satisfaction of the Town Council that the application complies with the requirements of Section 8-13-3 for a bona fide offer to sell, at which time the application shall be approved. Upon such approval the time period specified in Section 8-13-3c as applicable to the particular offering price shall commence.

*8-13-5 Action required of the owner and Town Council after approval of application to sell under Section 8-13-3. Within one (1) year following the date the Town Council approves the application to sell under Section 8-13-3, the owner shall cause the property concerned to be advertised for sale in accordance with the plan, specifications and procedures specified in the application (as it may have been revised by reason of suggestions under Section 8-13-4b, above) and thereafter continue the advertising in the same manner and to the same extent, with no interruption, until the sooner occurring of the signing of a bona fide contract binding on all parties thereto or expiration of the appropriate time period. If a bona fide contract binding on all parties is signed and closed in accordance with the original application as approved by the Town council, no further action under this Section 8-13 will be require.*

*a. If the appropriate time period expires without the signing of a binding contract, the owner shall file with the Board an application for certificate of appropriateness which includes full and complete documentation of the unsuccessful sale effort, including but not limited to (i) formats of all advertisements, (ii) schedules showing when, where and how the advertisements were employed; (iii) any listings with real estate agents or brokers and offers received; and, (iv) any fliers or other descriptions of the property prepared pursuant to such listings.*

*b. Upon receipt of the owner's application the Board shall place the matter on the agenda for its next regularly scheduled meeting and thereafter approve the application if in its judgment the requirements of Section 8-13-3 for a bona fide offer and sale have been met. Otherwise, the Board shall follow the procedure for a rehearing set out in Section 8-8-4 of this ordinance pending such approval. In any event, the owner shall, by following the filing procedure specified in Section 8-12-1, have a right of appeal to the Town Council and from the Town Council to the Circuit Court.*

Mr. Charles Meade, Realtor, stated that his firm has had the property on the market, subject to approval of plat, for approximately one month, has shown the property twice, with no definite offers. There have been two other agents that have shown the property with no offers. The price offered for sale is \$95,000.00 but Mr. Meade expressed his concerns of with the possibility to entertain a lower price. He explained that the main objection, is there is no off street parking. In talking with the Porterfield's, it has been determined there is a space that could be used for off-street parking but it is the desire of the seller to keep that space for handicapped parking for the big Cave House. Mr. Meade further stated that they would continue to market the property and he would return in the future with any additional information that comes about regarding the possible sale of the property.

Mr. Smith, Director of Wastewater Operations and Town Engineer, explained that the property being considered subdivides one lot (Tax No. 13 (1) 69) containing 0.49 acres into Lots 1 and 2 containing 0.46 acres and 0.03 acres, respectively. The property is located at 279 East Main Street and is owned by Mary Dudley Porterfield. The property is bordered by East Main Street to the south, Whites Alley to the west, Plumb Alley to the north, and Jeremiah R. Crabtree property to the east. A three-story frame dwelling (Cave House), a two-story brick dwelling (Little Cave House), and a stone and wood frame building (Building) over an existing cave entrance are located on the property. The purpose of the subdivision is to separate the Little Cave House, which will be located on Lot 2, from the remaining property so that Lot 2 can be sold.

The proposed subdivision is a "Regular Subdivision" where some improvements and/or construction plans are required or may be required. Both Preliminary and Final Plats are required and are processed separately.

Mr. Smith stated that after examining the referenced plat as to its compliance with the laws and regulations of the Town, the existing street system, and good engineering practices, the following were the findings regarding compliance with the Town of Abingdon, Virginia, Subdivision Ordinance:

1. Section 5.7 (C) and Section 5.11 of the Ordinance requires that should a subdivision abut on only one side of an existing street, the subdivider shall dedicate enough land so that one-half of the width of such street, as measured from the centerline to the subdivision property line, shall be one-half the standard

width of such street as classified. The minimum width of an arterial street (East Main Street) is not less than eight (80) feet and an alley (Plumb Alley and Whites Alley) is not less than twenty (20) feet. According to these sections, a right-of-way dedication of 7-feet, 1-foot and 1.75 feet will be required for East Main Street, Whites Alley, and Plumb Alley, respectively. The Little Cave House and the Building encroach upon Whites Alley and Plumb Alley right-of-way. The plat does not provide for any right-of-way dedication but a waiver has been requested.

2. Section 5.18 (B) of the Ordinance requires a minimum pavement width of sixteen (16) feet for alleys. The current paved width of both alleys is approximately 9 feet. A waiver has been requested for this also.
3. Section 5.21 (E) requires easements along lot lines or across lots when necessary for the extensions of main sewers or other utilities. Other than the natural gas line, the location of existing water and sewer utilities have not been shown on the Preliminary Plat, as required.
4. Article VI of the Ordinance requires the subdivider to install and construct, at his cost, all improvements required by this article, which are:
  - a. Section 6.3 – All streets and alleys shall be graded to the full right-of-way width unless the Town Council permits a lesser graded width.
  - b. Section 6.4 – All roadways shall be paved with bituminous material in accordance with the requirements of the Town of Abingdon. Alleys shall be paved to a width of sixteen (16) feet. The current pavement width of Plumb Alley and Whites Alley is approximately nine (9) feet.
  - c. Section 6.6 – Curb and gutter shall be installed on both sides of all streets; in this case, installation on one side only would be required.
  - d. Section 6.7 – Sidewalks required but could be waived by the Town Council
  - e. Section 6.8 – Water lines as approved by the Washington County Service Authority
  - f. Section 6.9 – Sewers according to the requirements of the Town
  - g. Section 6.10 – Adequate facilities shall be provided for the disposal of storm water. The storm drainage system shall be approved by the Town of Abingdon Department of Public Works.

#### Waiver or Modification of Requirements

The Owner has requested a waiver to Sections 5.11 and 5.17 (B), 5.18 (B), right-of-way width and pavement width standards. “Both, Plum Alley right-of-way line and Whites Alley right-of-way line are within the structures as shown on the plat. This property is zoned OH and the requirements of Section 5.11 and 5.18 (B) would be detrimental to the property and an extraordinary hardship placed on the subdivider in these extenuating circumstances.”

Under the conditions set forth in Section 10.1, 10.2, 10.3 and 10.4 of the Subdivision Ordinance, the Planning Commission may recommend to the Town Council a waiver or modification of requirements.

For the convenience, the aforementioned sections are shown below.

#### **Section 10.1. Modification of requirements.**

Where, in the case of a particular proposed subdivision, it can be shown that strict compliance, with the requirements of these regulations, would result in extraordinary hardship to the subdivider because of unusual topography; or other such non-self-inflicted conditions, peculiar to this site, or that these conditions would result in inhibiting the achievement of the objectives of these regulations, the planning commission may recommend to the town council a waiver or modification of a portion or portions of these requirements so that substantial justice may be done and the public interest secured; provided, that such variance, notification, or waiver will not have the effect of nullifying the intent and purpose of these regulations. Any such waiver or modification, authorized under the provisions of this section, shall be stated in writing, on the plat, by the subdivider, with the reasoning set forth on which the waiver or modification was justified.

#### **Section 10.2. Minimum easing of requirements.**

In no case shall any variation or modification be more than a minimum easing of the requirements and in no instance shall it have the effect of reducing the traffic capacity of any street below that is shown on the comprehensive plan or be in conflict with any zoning ordinance, resolution, or map.

**Section 10.3. Vote required.**

Such variance and waivers may be granted only by the affirmative vote of a majority of the members of the town council present and voting.

**Section 10.4. Conditions.**

In granting variances and modifications, the town council may require such conditions as will, in its judgment, secure substantially the objectives of the requirements so varied or modified.

Areas of Concern

By placing the subdivision lines as drawn on the plat, the exterior walls of the Little Cave House and the Cave House that are parallel to lines L2, L3, L4 and the east boundary line of Lot 2 will be required to have a minimum fire-resistance rating as shown in Table R032.1 of the 2006 International Residential Code.

- Storm Drainage – an erosion and sediment control plan will not be required for this subdivision. There is little ground surface area around the Little Cave House that will produce significant runoff. The roof of the Little Cave House produces most of the runoff from Lot 2, but it is collected by roof gutters and diverted via downspouts toward Whites Alley where it flows onto the pavement and shoulders. Approximately one-half of the runoff eventually enters East Main Street gutter after flowing across the sidewalk. The other half eventually enters Valley Street gutters. There is no apparent roadway erosion or damage created by this runoff but it appears that storm water does not drain out of the downspouts. The existing roof gutters are in poor condition and do not collect all of the runoff. As long as this runoff pattern is maintained in good repair, the down slope property of Lot 1 should be protected from storm water runoff by the creation of Lot 2. However, the Town's street system is not protected from runoff and proper plans for drainage have not been provided.
- Flood Control Regulations – The property is located within an area having a zone designation "X" (areas determined to be outside 500-year flood plain) by the Federal Emergency Management Agency, on Flood Insurance Rate Map and Street Index, Town of Abingdon, Virginia, Washington County, Community-Panel Number 510169 0001 B, Effective Date March 16, 1988.
- Traffic Impact – The proposed use of the property has not been determined, however the future use of the existing buildings is not expected to generate enough additional traffic that would cause a change in the current level of service of the connecting street.
- Utilities – No information has been provided regarding the water or sanitary sewer. Since the ownership of the lots may be different, it is important that these utilities be separated and the appropriate easements provided as necessary.
- Good Engineering Practices – Although the adjacent streets are not according to the standard requirements of the Ordinance, they seem to function as needed, in a safe manner, and as desired by the surrounding community. The streets can be improved but at a cost that may prohibit the desired use of the property and change the character of that section of the Old and Historic District. The proper design and location of the utilities (water and sewer) along with the proper easements will be required. Diverting storm water onto streets and across sidewalks is not good engineering practice and proper plans for drainage on either lot will be required for review and approval. The adherence to safety codes, such as the fire resistance ratings of the walls, should be investigated by our Inspections Department.

Mrs. Lowe and Mr. Kimbrell stated concerns regarding the amount of parking currently available. Mr. Shuman stated that he did not feel this request is feasible. It appears that the request is trying to maintain a building that is in a dilapidated condition (trying to put a square peg in a round hole) and with this in mind he

was not too sure that the request would be ultimately serving the best interest of the Cave House long term. He further explained that it has always been the duties of the Commission to want to preserve any historical structure however, in this request he was not too sure that the request is appropriate.

After further discussion, Mrs. Lowe made a motion that this application be tabled, allowing Mr. Meade and Mr. Rasnake, Representatives, to further discuss with Mr. Porterfield, the concerns of the parking and easements utilities to the property, by the Planning Commission. Dr. White seconded the motion.



VOTE:

Mr. Shuman Aye  
 Mr. Kimbrell Aye  
 Mr. Kelly Aye  
 Mrs. Lowe Aye  
 Dr. White Aye  
 Ms. Ivery Aye  
 Mr. Bundy Aye

The motion passed.

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- (5) **CERTIFICATE OF APPROPRIATENESS - Washington County School Board, Owner, dba Abingdon High School, Charles R. Day, Representative, 705 Thompson Drive, Abingdon, VA 24210; application for Certificate of Appropriateness for approval of a one-story band room addition to be located at 705 Thompson Drive. Tax Map No. 7 (1) 21.**

This is a request for approval of a one-story band room addition to the existing school building of Abingdon High School, to be located at 705 Thompson Drive.

Mr. Day explained that this addition will enlarge the current band and choral rooms located on the west side of the building. The addition will feature a brick faced matching the existing high school and a loading dock for band booster trucks to load equipment for travel.

Mr. Jackson explained that due to Thompson Drive being listed in section 18-9 of the Entrance corridor Overlay Ordinance, this project must be reviewed and approved by the Planning Commission. The proposed addition will match the existing building and will not compromise any setbacks or other ordinance sections. The Abingdon High School band has been very successful over the years, and has long outgrown the existing band room and facilities.

After discussion, Mrs. Lowe made a motion to approve the proposed addition as presented. Mr. Kimbrell seconded the motion.

VOTE:

Mr. Shuman Aye  
 Mr. Kimbrell Aye  
 Mr. Kelly Aye  
 Mrs. Lowe Aye  
 Dr. White Aye  
 Ms. Ivery Aye  
 Mr. Bundy Aye

The motion passed.

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- (6) **CERTIFICATE OF APPROPRIATENESS - Bare Brothers Market, Jerry's Signs, Inc., Representative, 988 East Main Street, Abingdon, VA 24210; application for Certificate of Appropriateness for approval of one (1) digital electronic message center to be located at 988 East Main Street. Tax Map No. 106 (4) 4.**

This is a request for approval to remove existing marquees located at 988 East Main Street and replace with one (1) digital electronic message center to be located at 988 East Main Street.

The size of the proposed sign will be 2 ft. x 5 ft., a double sided LED located at the Citgo.

Mr. Jackson explained that the sign would be located in the B-2 General Business and Entrance Corridor Overlay Districts, which does allow LED signs, however, in discussion of this application with the Planning Department, there were some unanswered questions regarding ownership of the existing sign, whether it belonged to either Citgo or Wendy’s and clarification of this information is necessary before considering this sign request. If approved the requirements of Section 21-14 of the Zoning Ordinance which governs LED signs will need to be met.

After discussion, Mr. Kelly made a motion that this application be tabled until further information is received pertaining to ownership of the sign. Mr. Shuman seconded the motion.

VOTE:

- Mr. Shuman Aye
- Mr. Kimbrell Aye
- Mr. Kelly Aye
- Mrs. Lowe Aye
- Dr. White Aye
- Ms. Ivery Aye
- Mr. Bundy Aye

The motion passed.

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(7) **CERTIFICATE OF APPROPRIATENESS - Scrubbies Car Wash, Jerry’s Signs, Inc., Representative, 931 West Main Street, Abingdon, VA 24210; application for Certificate of Appropriateness for approval of one (1) lighted sign and message center to be located at 931 West Main Street. Tax Map No. 16 (4) 4.**

This is a request for approval of one (1) digital electronic message center to be located at 931 West Main Street.

The size of the proposed sign will be 2 ft. x 7 ft., a double sided LED located at Scrubbies Car Wash.

Mr. Jackson explained that the sign would be located in the B-2 General Business and Entrance Corridor Overlay Districts, which does allow LED signs. The requirements of Section 21-14 of the Zoning Ordinance which governs LED signs will need to be met and these requirements are as follows:

21-14 Illumination

*21-14-1 All applicants for a sign permit or Entrance Corridor Overlay Certificate of Appropriateness must present a light plan for the proposed signage.*

- (a) *Signs may be illuminated either through the use of backlighting or direct lighting provided the following standards are met:*
  - (1) *Information on any illumination proposed as a part of a sign must be provided by the applicant on the sign permit application.*
  - (2) *No light from any illuminated sign shall cause direct glare into or upon any building other than the building to which the sign is related.*
  - (3) *No light from illuminated sign shall cause direct glare on to any adjoining piece of property, or any adjoining right-of-way.*

*(b) Any sign containing electrical components shall conform to current UL, ETL, CSA, or ULC standards and display a label from one of these recognized testing labs.*

*Animated/electronic signs of red/opaque/amber or intermittent colored shall be allowed, one (1), double-side, 15 sq. ft. sign, per establishment, upon proper permitting, as long as the animation does not flash, scroll or any other movement which is deemed dangerous to traffic. Such signs may be illuminated during business hours only.*

*(c) Signs may fade animation or copy a minimum of every 15 seconds or an amount greater if needed.*

*(d) The intensity of light allowed of all animated/electronic signs will be 85% by day or 50% at night.*

*(e) Such animated signs are only allowed in B-2 and M-1 Districts, within the Entrance Corridor Overlay District, as defined by this ordinance.*

*(f) The Town Manager, upon finding that an animated or electronic sign is negatively effecting the health, safety and welfare of the public, may cause the removal of such sign, or prevent the installation thereof.*

After discussion, Mr. Shuman made a motion that the sign be approved as presented and to be installed according to the Guidelines as noted. Mr. Kimbrell seconded the motion.

VOTE:

- Mr. Shuman    Aye
- Mr. Kimbrell    Aye
- Mr. Kelly    Aye
- Mrs. Lowe    Aye
- Dr. White    Aye
- Ms. Ivery    Aye
- Mr. Bundy    Aye

The motion passed.

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(8)    DISCUSSION

- Mr. Jackson explained that it had been requested by Washington County that a joint meeting be held between the Town of Abingdon Planning Commission and the Washington County Planning Commission. A tentative date for March 9 or March 10 was considered for this dinner meeting and work session. Mr. Jackson will confirm the date and time, when officially scheduled.
- Mr. Jackson stated that the Town Council was presented an Outstanding Regional Cooperation Award from the Mt. Rogers Planning District Commission, recognizing all of the communities in the district this year for the its 40-year anniversary. Mr. Kelly explained that Mt. Rogers Planning District was the first of all the planning districts to be created.

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There being no further business, Mr. Kimbrell made a motion that the meeting be adjourned. Mr. Shuman seconded the motion, with unanimous approval.

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Matthew T. Bundy, Chairman

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Gregory W. Kelly, Secretary