

TOWN OF ABINGDON
PLANNING COMMISSION
REGULAR MEETING
FEBRUARY 22, 2010 - 5:30 P.M.

The regular meeting of the Abingdon Planning Commission was held Monday, February 22, 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. Sean Taylor 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 (Absent)
Mr. Sean Taylor, Assistant Director of Planning/Zoning
Mrs. Deborah Icenhour, Town Attorney
Mr. Jim C. Smith, Director of Wastewater Operations/Town Engineer

Visitors: Mr. Eugene King
Mr. Ken Addison
Mr. Tony Stepp

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(2) Approval of Minutes: Regular Meeting, January 25, 2010

Mr. Shuman made a motion that the minutes of the regular meeting, January 25, 2010, be approved. Mr. Kimbrell seconded the motion.

VOTE:

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

The motion passed.

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(3) PUBLIC HEARING

PROPOSED REZONING - Edward Eugene King, P. O. Box 1213, Abingdon, VA 24212; application to rezone property between Academy Drive and Old Russell Road (east) on the south side of such street and known as Lots No. 17 and 18, of the Academy Drive Development, consisting of 30,542 square feet, from R-2 Residential District to R-3 Residential District. **Tax Map No. 10 (1) 17, 18.**

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

Mr. Shuman asked Mr. Taylor for a brief explanation for the proposed rezoning request. Mr. Taylor explained that the property in question is located on the corner of Old Russell Road and Popular Street, and that all of the surrounding properties are currently zoned R-3 Residential District.

Mr. Eugene King, property owner, described his intentions for the properties in question, stating that he is requesting the rezoning of the property in order to continue the development of the adjacent apartment complex.

Mr. Bundy asked if there was anyone else to speak for or against the proposed rezoning. 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 rezoning.

Dr. White made a motion that the proposed rezoning of property between Academy Drive and Old Russell Road (east) on the south side of such street and known as Lots No. 17 and 18, of the Academy Drive Development, consisting of 30,542 square feet, from R-2 Residential District to R-3 Residential District, be recommended to the Town Council for approval. Mr. Kimbrell seconded the motion.

VOTE:

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

The motion passed.

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(4) **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.** *(Tabled from January 25, 2010 meeting).*

This application, requesting approval of one (1) digital electronic message center to be located at 988 East Main Street, was tabled from the January 25, 2010 meeting.

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

At the January 25, 2010 meeting 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, as to whether it belonged to either Citgo or Wendy's. Clarification of this information was necessary before consideration of the sign request, therefore, the Certificate of Appropriateness was tabled until further information was received regarding ownership of the sign.

At this time, Bare Brothers will not allow Wendy's to share use of the message board unless Wendy's agrees to provide financial help with the message board. Mr. Kelly stated that the best situation is for Wendy's and Citgo (Bare Brothers) is to share use of the proposed message board. Mr. Tony Stepp, representative, of Jerry's Signs was in agreement with Mr. Kelly, however, further stated that Bare Brother's proposed message board does meet all current code requirements.

Mrs. Lowe asked that the Historic District Corridor Overlay Ordinance on signage be read. Mr. Kelly read Article 18-9-8, Section 6 of the Ordinance as requested by Mrs. Lowe.

Mr. Shuman stated that the owners of Wendy's and Bare Brothers need to work together to resolve the situation.

After discussion, Mr. Shuman made a motion to deny the Certificate of Appropriateness for a message board, with the stipulation that if both parties can come to a compromise the Planning Commission can hold a called session to reconsider the Certificate of Appropriateness. Mr. Kimbrell seconded the motion.

VOTE:

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

The motion passed.

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(5) DISCUSSION

- LED Signage Letter
 The Planning Commission previously discussed the need for a letter to be mailed to all owners of LED signs and the companies which have installed them. Light intensity and frequent text changing has been noticed by staff, commission members and the public. The Police Department has also commented on the glare they are producing on the streets, especially during the inclement weather. It was also brought to the attention of the Planning Commission that sign companies are ordering this type of sign upon request of the owner, before approval by the Town Planning Commission. This has caused owners to be upset with the Town staff when applications are not readily approved when, in fact, ordering the sign before approval of the same is the problem.
 After reviewing the draft LED message board letter, Mr. Bundy, Chairman requested a letter be sent to all businesses that have LED message boards.

Commission

- Invitation to Washington County Planning ~~omission~~ to attend Abingdon Planning Commission work session.
 It was requested by members of the Planning Commission that the staff select a date to meet with the Washington County Planning Commission after the May Town Elections.

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Mrs.

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

Matthew T. Bundy, Chairman

Gregory W. Kelly, Secretary