

TOWN OF ABINGDON
PLANNING COMMISSION
SPECIAL MEETING-WORK SESSION
MAY 9, 2012 - 5:00 P.M.

The Abingdon Planning Commission held a special meeting and work session Wednesday, May 9, 2012 at 5:00 P.M. The meeting was held in the Municipal Building, Council Chambers.

Dr. H. Ramsey White, Chairman, called the meeting to order. Mr. Garrett Jackson called the roll.

ROLL CALL

Members Present: Dr. H. Ramsey White, Chairman
Mr. Robert M. Howard
Mr. Gregory W. Kelly
Mr. Gary Kimbrell

Comprising a quorum of the Commission

Members Absent: Mr. Mathew T. Bundy, Vice-Chairman
Mr. Kenneth Shuman
Mr. Wayne Austin

Administrative Staff: Mr. W. Garrett Jackson, Assistant Town Manager
Director of Planning/Zoning
Mr. Sean Taylor, Assistant Director of Planning/Zoning
Mrs. Deborah Icenhour, Town Attorney (Absent)
Mr. John Dew, Director of Public Services and Construction
Mr. Jim C. Smith, Director of Wastewater Operations//Town Engineer
Ms. Rebecca Moody, Intern

Visitors: Mr. Elden Mabe
Mr. Rick Mabe

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(2) Approval of Minutes: Regular Meeting, April 23, 2012

Mr. Kimbrell made a motion that the minutes of the regular meeting, April 23, 2012, be approved as presented. Mr. Kelly seconded the motion.

VOTE:

Mr. Kimbrell Aye
Mr. Kelly Aye
Mr. Howard Abstained
Dr. White Aye

The motion passed.

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(3) CONSIDERATION OF PRELIMINARY PLAT FOR PROPOSED SUBDIVISION - Proposed subdivision of property consisting of 21.7± acres owned by Elden Mabe, **located at the intersection of Trigg Street and Short Street. Tax Map No. 105 (A) 27A.**

Mr. Smith explained that the applicant is seeking approval to subdivide this property located at the intersection

of Trigg Street and Short Street. Short Street is located in Washington County, between the Town of Abingdon Corporate Limits and Interstate I-81 right-of-way. The purpose of the subdivision is to separate 2.28± acres surrounding a single family residence occupied by Rickey Dale Mabe from the larger parcel owned by his father, Elden Mabe.

According to the Town's Subdivision Ordinance, the subdivider shall install and construct, at his cost, all improvements required by Article VI of the Subdivision Ordinance, which includes new streets, portions of existing street, any easement, extension of drainage, sewer or water system, or right-of-way connecting two (2) public streets and shall be responsible for bringing roadway frontage up to standard for initial acceptance by the Department of Public Works.

Mr. Smith stated that the Town's Subdivision Ordinance's defines the proposed subdivision as "Regular" where some improvements and/or construction plans are required or may be required. Both preliminary and final plats are required and are processed separately.

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The Subdivision Ordinance's designation for Trigg Street is a Collector. Whenever subdivided property abuts an existing half street the remainder of the street shall be dedicated to make the right-of-way on the half street abutting the subdivision comply with Section 5.11, Minimum Width, of the Ordinance.

The plat as presented indicates the right-of-way width of Trigg Street in front of the Mabe property is 40 feet. The pavement width on Trigg Street varies, but is about 18 feet in most locations. The portion of Trigg Street abutting the property is not up to standard concerning right-of-way width, pavement width, sidewalk, curb and gutter. To comply with the requirements of the Subdivision Ordinance, the pavement would have to widen by an additional 9 feet, curb, gutter, and sidewalk constructed according to the standard and an additional 10 feet of right-of-way dedicated to the Town. Because one side of the proposed subdivided property abuts a County street managed by the Virginia Department of Transportation, it is unclear if abutting improvements can be required by the Town.

With potential development in the surrounding area, an increase of traffic on Trigg Street is likely and the street will definitely function as a Collector.

The owner/subdivider has verbally requested waivers to all of the requirements of the Subdivision Ordinance as outlined.

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

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.

After review of this application, the Director of Public Works finds no reason that strict compliance with the requirements of the 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 the regulations.

If frontage improvements are made now, they may have to be removed during future upgrades. Drainage in the area appears to be adequate at the present time. It is difficult for the Director of Public Works to recommend the frontage improvements required by the Subdivision Ordinance, without an existing plan.

After a lengthy discussion, Mr. Kimbrell made a motion to approve the preliminary plat as follows: waive all the improvement requirements of the Subdivision Ordinance with the exception of the minimum width requirement of existing and proposed streets (ordinance designates Trigg Street as a Collector, which shall not have a right-of-way width less than sixty (60) feet; the plat indicates the right-of-way width of Trigg Street abutting the Mabe property is forty (40) feet), and to comply with the requirements of the Subdivision Ordinance, an additional right-of-way width of ten (10) feet is to be dedicated to the Town. Mr. Howard seconded the motion.

VOTE:

Mr. Kimbrell Aye
Mr. Howard Aye
Mr. Kelly Aye
Dr. White Aye

The motion passed.

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(4) Review of Comprehensive Plan

Review of the Comprehensive Plan continued with discussion on Transportation and Environment. The review will continue at the next regular meeting, Tuesday, May 29, 2012 at 5:30 P.M. (rescheduled from Monday, May 28, 2012 due to Memorial Day Holiday).

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There being no further business, a motion was made and duly seconded that the meeting be adjourned, with unanimous approval. The meeting was adjourned at 6:25 P.M.

H. Ramsey White, Chairman

Gregory W. Kelly, Secretary