

TOWN OF ABINGDON
PLANNING COMMISSION
REGULAR MEETING
JUNE 30, 2008 - 7:00 P.M.

The regular meeting of the Abingdon Planning Commission was held Monday, June 30, 2008, at 7:00 P.M. (rescheduled from June 23, 2008). The meeting was held in the Municipal Building, downstairs meeting room.

Mr. Gary Kimbrell, Chairman, called the meeting to order. Mr. Jackson called the roll.

ROLL CALL

Members Present: Mr. Gary Kimbrell, Chairman
Mr. Gregory W. Kelly
Mrs. Cathy Lowe
Mr. Matthew T. Bundy
Mr. Kenneth Shuman
Dr. Todd Pillion
Dr. H. Ramsey White, Jr.

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
Mr. Jim Smith, Director of Wastewater Operations/Town Engineer
Mrs. Deborah Icenhour, Town Attorney

Visitors: Mr. James L. McCall

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(2) Approval of Minutes: Regular Meeting, April 28, 2008

Mrs. Lowe made a motion that the minutes of the regular meeting, April 28, 2008 be approved with the following corrections:

Page 08-9 (Paragraph 4)

VOTE

FROM:	Dr. White	Aye	TO:	Dr. White	Aye
	Mr. Bundy	Aye		Mr. Bundy	Aye
	Mrs. Lowe	Aye		Mrs. Lowe	Aye
	Mr. Kelly	Abstained		Mr. Kelly	Aye
	Mr. Shuman	Abstained		Mr. Shuman	Abstained
				Mr. Henninger	Abstained
				Dr. Pillion	Aye

AND

**Page 08-10 (Paragraph 6)
VOTE**

FROM:	Mrs. Lowe	Aye	TO:	Mrs. Lowe	Aye
	Dr. Pillion	Aye		Dr. Pillion	Aye
	Mr. Kelly	Aye		Mr. Kelly	Aye
	Dr. White	Aye		Dr. White	Aye
	Mr. Shuman	Aye		Mr. Shuman	Aye
	Mr. Bundy	Abstained		Mr. Bundy	Abstained
				Mr. Henninger	Aye

Mr. Shuman seconded the motion, with unanimous approval.

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- (3) **CONSIDERATION OF PRELIMINARY PLAT FOR PROPOSED SUBDIVISION - James L. and Lucy I. McCall, Owners, 240 Pippin Street, Abingdon, VA 24210; the proposed subdivision, with property being located at 334 Poplar Street, will divide one existing tract (0.42± acres) into Lot 1 (0.19± acres) and Lot (0.19± acres). Lot 1 will remain the existing residence while Lot 2 is planned for construction of a single family residence. Tax Map No. 10 (1) 24.**

Mr. Jackson explained that the applicants are seeking approval to subdivide this property located at 334 Poplar Street from one (1) to two (2) lots. The proposed subdivision will create lots, 8,558 and 8,547 square feet in size, smaller than the required Area Regulations of the R-2 District of 10,500 square feet. The applicants requested a variance from the Board of Zoning Appeals in June 2008, which was granted due to the following reasons:

1. That the subject property was acquired in good faith.
2. That such hardship is not shared generally by other properties in the same zoning district and the same vicinity.
3. That authorization of such variance will not be of substantial detriment to adjacent property.
4. That the character of the district will not be changed by the granting of the variance.
5. That the variance is not of such a scope as to amount to a rezoning of the property.
6. That the variance will be in harmony with the intended spirit and purpose of this Ordinance and will not be contrary to public interest...

Mr. Smith, Town Engineer, stated that in reviewing the preliminary plat submitted for approval, the proposed subdivision will divide one existing tract (0.42± acres) into Lot 1 (0.19± acres) and Lot 2 (0.19± acres). Lot 1 will remain the existing residence at 334 Poplar Street while Lot 2 is planned for construction of a single family residence.

Mr. Smith explained that Addendum C of the Town’s Subdivision Ordinance 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.

According to the Town’s Subdivision Ordinance, the Subdivider shall install and construct, at his cost, all improvements required by Article V1 (Improvements) of the Subdivision Ordinance, which includes new streets, portions of existing streets, 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 advised that according to the preliminary plat submitted by the applicant, the local roadway in front of the property is Poplar Street and currently has a right-of-way width of approximately thirty (30) feet and

pavement width of approximately fifteen (15) feet, which is not up to standard in regard to right-of-way width, pavement width, sidewalk, curb and gutter. Additionally, the area of each lot is approximately 1,950 square feet less than the 10,500 square feet required by the Zoning Ordinance.

He further stated that with recent construction in the area, as well as this proposed subdivision, continues to increase vehicular and pedestrian traffic on this substandard street. The frontage of the proposed subdivision as a narrow paved street, provides poor drainage, has limited sight distances for entrances and provides little safety for pedestrians.

A review of previously approved plats indicates a right-of-way dedication of ten (10) feet to Poplar Street on the adjacent property owned by Eugene King. Right-of-way dedications of ten (10) feet have been made to the north of Hopkins Street and along the western side of Poplar Street from Hopkins Street to Old Russell Road. Mr. Smith felt that development of this subdivision without construction of the required improvements would not be a good engineering practice.

The applicants have requested an exception to all of the requirements of the Subdivision Ordinance.

Mr. Smith stated that he 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, therefore, he recommended that the Owner’s request for exceptions be denied and that all improvements required by the Subdivision Ordinance that are under the control of the Town of Abingdon be installed and constructed in accordance with the specifications and under the supervision of the Department of Public Works.

After a lengthy discussion, Mr. Shuman made a motion to approve the proposed subdivision but to deny the requested waivers for the proposed subdivision, and require Mr. McCall to comply with requirements of the Subdivision Ordinance. Mr. Kelly seconded the motion, with unanimous approval.

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(4) DISCUSSION - Revised Zoning Ordinance DRAFT

Mr. Jackson explained that the Staff has been working on revisions to the Zoning Ordinance for several months. The object is to coordinate the Zoning Ordinance to the proposed future land uses of the 2027 Comprehensive Plan and in turn strengthening their existence. The proposed changes are as follows:

- *AFOS* - Changes in density were made from single family dwellings and must have a minimum five (5) acres, to a requirement of ten (10) acres as a minimum. This will match the 2027 Comprehensive Plan Future Land Use maps recommendation of a low density, Agriculture/Residential Conservation Zone.
- *RESIDENTIAL* - Residential Districts such as the R-3 and R-2 Districts are continually receiving variances for lot sizes. This in part because the lots were created long before the Zoning Ordinance was written. At the time the Ordinance was written, almost 80% of the Town’s residential lots were made non-conforming by the requirements. The proposed districts are now laid out to better define the allowable lot sizes. The following districts are recommended:
 - R-10 (old R-1)
 - R-8 (old R-2)
 - R-80 (old R-3)
 - RMF (old R-4)
 These districts are named for their allowable lot sizes:
 - R-10 10,000 square feet required

- R-8 8,000 square feet required
- R-80 80,000 square feet (roughly two (2) acres required)

In addition to these changes and in keeping with the recommendation of the 2027 Plan, the Staff has removed all residential area which allows mobile home parks, but allowing multi-family housing in these areas (RMF).

- *OLD AND HISTORIC* - The following uses are recommended by Staff to be included as “by-right” uses in the following sub-districts:
 - SD 1 Museums
 - SD4 Museums
 - SD5 Museums
 - SD Restaurants

The Staff also drafted an archaeological resources survey ordinance that will require developers, not just in the Old and Historic District, but other areas in Town known to be of historic value. This area will be better defined in the future after legal questions have been answered.

- *PLANNED TECHNOLOGY DISTRICT* - The Staff feels that language should be inserted to steer the development of the Tech Park, and any future such parks that may be created in Town, to business and industries from outside of Washington County.

During discussion members of the Commission made suggestions that will be considered for inclusion of proposed changes made, as the study continues.

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- (5) *DISCUSSION* - Change meeting date for Planning Commission from 4th Monday to 3rd Monday of each month.

In order to better communicate and work with the Washington County Planning Commission, the Staff requested that the meeting date and time of the Town of Abingdon Planning Commission be changed to accommodate attending Washington County Planning Commission meetings, when needed. The Staff recommended the 3th Monday of the month, as Washington County Planning Commission currently meets the last Monday of the month, often falling on the 4th Monday and presenting a conflict.

After discussion, it was the consensus of the Commission members that this matter be discussed further at the July meeting, with that meeting to be rescheduled from Monday, July 28 to Wednesday, July 30 at 5:30 P.M.

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There being no further business, motion was made that the meeting be adjourned. The motion was seconded, with unanimous approval.

Gary Kimbrell, Chairman

Gregory W. Kelly, Secretary