

TOWN OF ABINGDON
PLANNING COMMISSION
REGULAR MEETING
AUGUST 24, 2015 – 5:30 P.M.

The regular meeting of the Abingdon Planning Commission was held Monday, August 24, 2015, at 5:30 p.m. The meeting was held in the Municipal Building, Colonel Arthur Campbell room.

Mr. Wayne Austin, Chairman, called the meeting to order. Mr. Matthew Johnson called the roll.

ROLL CALL

Members Present: Mr. Wayne Austin, Chairman
Mr. Gregory W. Kelly, Secretary
Councilman Rick Humphreys
Ms. Janice Reeves
Dr. Chris Burcher

Comprising a quorum of the Commission

Members Absent: Mr. Langley Shazor, Vice-Chairman (resigned)
Ms. Maggie Costello

Administrative Staff: Mr. Matthew Johnson, Director of Planning
Mr. Sean Taylor, Assistant Town Planner
Mrs. Deborah Icenhour, Town Attorney
Mrs. Jenny Carlisle, Planning Department

Visitors: Mr. Samir Patel
Mr. Kaitang Yun
Mr. Brian Via
Mr. Matthew Bundy
Mr. Jeff Johnson
Mr. Nick Patel
Mr. John Rock

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(2) Approval of Minutes: Regular Meeting, July 27, 2015.

Mr. Kelly moved to approve the minutes from the regular meeting, July 27, 2015, as amended to reflect correction to Dr. Burcher’s name. Second by Councilman Humphreys. All in favor.

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(3) **Public Hearing:** Consideration of ordinance update to **§17-18; Special Events and Temporary Structures.**

Mr. Austin opened the Public Hearing portion of the meeting and asked for comments to the proposed amendment to **§17-18; Special Events and Temporary Structures.**

Mr. Johnson provided a rundown of the proposed ordinance update, listing different criteria and levels of approval required. Most notably would be following Virginia Fire Code which states that if a structure is larger than 900 square feet or 50 persons in occupancy, it must be inspected by the Building Department and meet state building and fire code. Applications that exceed the time limits stated in the table would need to go before the appropriate governing board where an extension of up to 90 days may be obtained. For durations between 90 and 180 days, the appropriate boards would need to hear the application and then refer them to Town Council. Another stipulation is that applicants may only obtain approval for three out of every five years and then be required to have a two year resting period before applying again.

Many comments and suggestions were voiced, such as creating an overlay district for the Barter Theater and The Martha Washington Inn with different guidelines than the rest of the Historic District, and adding provisions for port-o-lets.

Mr. Austin closed the public hearing portion of the meeting and opened the floor for motions.

Ms. Reeves moved to table this ordinance update until after a work session meeting can take place. After such, it will be re-advertised for public hearing. Second by Councilman Humphreys.

Roll call vote as follows:

Ms. Reeves – Aye
 Dr. Burcher – Aye
 Mr. Austin – Aye
 Councilman Humphreys – Aye
 Mr. Kelly – Aye

All in favor. Motion carried.

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- (4) Certificate of Appropriateness, continuation: **Nick Patel, owner**; 625 Loretto Drive, Wytheville, Virginia 24382; Matthew Bundy, representative, 321 West Main Street, Abingdon, Virginia 24210; application for Certificate of Appropriateness for new structure, **located at 923 East Main Street, Abingdon, VA 24210, Tax Map No. 106-18-7.**

Mr. Patel addressed the Board and stated that his storm water plan and traffic study have been taken care of and he is now ready to obtain his Certificate of Appropriateness. He presented several pictures of businesses surrounding his site and said his should blend in beautifully and add value to the area. He stated that he is not building in the Historic District and is thereby not required to build a structure that would fit in to a historic area.

Mr. Kelly asked Mr. Patel if he would give consideration to putting stone where the slate gray color is in the proposed design.

Mr. Dew addressed traffic issues raised at the last meeting. He stated that the traffic impact analysis ultimately showed that a traffic signal is not warranted at the location. A left turn lane exclusive is also not warranted, nor was a left turn lane from the roadway into the development. Mr. Dew stated that he recommends increasing the entrance radius on the east side from 20 to 30 feet which would have less impact on Main Street traffic. He also suggested that the additional entrance on the property used by the bank

should be closed off. Mr. Patel owns the property; it is not a bank right-of-way. Mr. Dew also mentioned an alternate alignment they are considering for Empire Drive with a signal light, which would allow rear entrances to the buildings along Empire Drive. If this took place, the Town might still want to put a signal light in which would preemptively ease the upcoming traffic requirements.

As for the sign plan for the hotel, Mr. Patel intends to install one sign on the top of the building and one on the corner of the property near the bank; he sees no reason to install a pole sign as it is very visible.

At this time, John Rock, Senior Vice President for First Bank and Trust Company came forward and presented a copy of the prescriptive easement they have for property. He stated that if their easement was closed off, it will make it more difficult for the third drive-thru lane to turn left. The bank is not in favor of this development taking away an entrance that they have had for over 20 years.

Discussion ensued, focusing on the bank entrance and signal lights, and design guidelines for the Entrance Corridor Overlay District.

Mr. Kelly then asked Mr. Patel if he would be willing to grant a right-of-way to the Town to make the other adjustments that have been discussed, thus making the Town the responsible party for maintenance, snow removal, etc., back to the Johnson line. Mr. Patel responded that he would need to meet with an attorney, and would like to sit down to meet with Mr. Lester and Mr. Kelly.

At this time, Mr. Kelly made a motion to grant the Certificate of Appropriateness based on color scheme Georgian Brick HC-50, subject to the Town being able to resolve entrance issues and a possible dedication of right-of-way to this property, and subject to any entrance concerns the bank may have. Second by Dr. Burcher.

Roll call vote as follows:

Ms. Reeves – Aye
 Dr. Burcher – Aye
 Mr. Austin – Aye
 Councilman Humphreys – Aye
 Mr. Kelly – Aye

All in favor. Motion carried.

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- (5) Certificate of Appropriateness: **Kaitang and Zhuyan Yun, owners**, 285 Bogey Drive; Bundy Architecture and Engineering Inc., representative, 321 West Main Street; Application for Certificate of Appropriateness for new construction, **located at 598 Cummings Street, Abingdon VA 24210, Tax Map No. 105A-1-2.**

Brian Via presented this application to modify the approved Certificate of Appropriateness. The approved plan contains two ingresses and one egress. They would like to add a second egress to make traffic flow more smoothly. Mr. Taylor clarified that they are adding an extra drive-in window where you would order at one window and drive around to the second window to pick up. He further added that the Board would also have to reduce the amount of parking to 12 spaces which is a reduction of 4 spaces. Mr. Dew stated that the

narrow dimension between the building and the end of the parking spaces is not the required 24 feet required for two-way circulation.

Ms. Reeves made a motion to deny amendment requested. Second by Councilman Humphreys. All in favor. Motion carried.

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- (6) Certificate of Appropriateness: **Samir Patel, owner**; 1093 Ole Berry Drive, Abingdon, Virginia 24210; application for Certificate of Appropriateness for exterior change, **located at 170 Old Jonesboro Road, Abingdon, VA 24210, Tax Map No. 104C2-5-6C.**

Mr. Samir Patel addressed the Board and explained that his corporate office wants him to stucco the exterior of his brick hotel.

Councilman Humphreys moved to deny the request to apply stucco to the exterior of the building, stating that as it stands now it is appropriate in the Entrance Corridor and matches the character and flavor of Abingdon. Second by Ms. Reeves. All in favor. Motion carried.

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- (7) **Closed Session:** Pursuant to Section 2.2-3711(A)(5) of the Code of Virginia, 1950, as amended, the Planning Commission will convene in a Closed Session for the purpose of consideration and discussion of a prospective business or industry or the expansion of an existing business or industry where no previous announcement has been made of the business' or industry's interest in locating or expanding its facilities in the community.

At this time Mr. Austin opened the floor for a motion to go into closed session. Councilman Humphreys so moved. Second by Ms. Reeves. All in favor, motion carried.

On motion of Mr. Kelly, second by Ms. Reeves, the Board reconvened into regular session.

Citing Section 2.2-3711(A)(5) of the Code of Virginia, 1950, as amended, The certification was as follows:

- Ms. Reeves – I so certify
- Dr. Burcher – I so certify
- Mr. Austin – I so certify
- Councilman Humphreys – I so certify
- Mr. Kelly – I so certify

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There being no further business, Councilman Humphreys moved to adjourn. Second by Dr. Burcher. The meeting adjourned at 8:31 p.m.

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Gregory W. Kelly, Secretary

Wayne Austin, Chairman