

TOWN OF ABINGDON
PLANNING COMMISSION
REGULAR MEETING
AUGUST 25, 2008, - 5:30 P.M.

The regular meeting of the Abingdon Planning Commission was held Monday, August 25, 2008, at 5:30 P.M. The meeting was held in the Municipal Building, downstairs meeting room.

Mr. Kenneth Shuman, Chairman, called the meeting to order. Mr. Jackson called the roll.

ROLL CALL

Members Present: Mr. Kenneth Shuman, Chairman
Mr. Matthew T. Bundy, Vice-Chairman
Mr. Gregory W. Kelly
Mrs. Cathy Lowe
Mr. Gary Kimbrell
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 C. Smith, Director of Wastewater Operations/Town Engineer
Mr. John Dew, Director of Public Services & Construction
Mrs. Deborah Icenhour, Town Attorney
Mr. Michael Worrell, Code Compliance Officer
Mr. James Cowart, Economic Development Director

Visitors: Mr. Aaron C. Hicks
Mr. Andrew Mullins
Mr. Thomas Weems
Mr. Jonathan Lewis

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(2) Approval of Minutes: Regular Meeting, July 30, 2008

Mr. Kimbrell made a motion that the minutes of the regular meeting, July 30, 2008 be approved. Mr. Bundy seconded the motion, with unanimous approval.

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(3) PUBLIC HEARING
SPECIAL USE PERMIT - Aaron C. Hicks, application for Special Use Permit pursuant to Article 2, Section 5-2-2 Special Uses, of the Zoning Ordinance in the R-2 Residential District, of the Town of Abingdon, to operate a small barbeque catering business at 1142 Panorama Drive, Abingdon, VA 24210. **Tax Map No. 106E (1) 36.**

This is a request for approval of a Special Use Permit for a *Home Occupation, Category B* to be located at 1142 Panaroma Drive (Southview Estates) in the R-2 Residential District. The R-2 Residential District allows *Home*

Occupations, Category A as a permitted use by-right, however, *Home Occupations, Category B*, in this zone, requires a Special Use Permit.

Mr. Hicks explained that it is his desire to operate a small barbeque business, using a 15 ft. smoker, which is stored in residential garage when not in use. The ashes will be cleaned up, put in ash cans and extinguished with water; with all food taken off site. There is no business being done in the neighborhood and the site meets all of the Health Department requirements.

The Zoning Ordinance requirements for *Home Occupation, Category A* and *Home Occupation, Category B* are as follows:

Section 17-16 Home occupations.

Home occupations shall be permitted as specified in the district regulations and subject to the standards and conditions of this section. Such use shall not involve the installation of use of mechanical or electrical equipment which could cause safety problems or which can be heard outside the dwelling unit. In determining dwelling area, only finished, habitable rooms shall be measured.

17-16-1 Category A home occupations shall meet the following standards:

- a. No more than one hundred (100) square feet or ten percent (10%), whichever is greater, of the dwelling unit shall be used in connection with the occupation.*
- b. There shall be no change in the exterior of the structure to indicate the use.*
- c. No advertising of any type, including telephone book listing, shall use the street address.*
- d. No employees, other than members of the family, shall be allowed.*
- e. No signs shall be erected except as specified in Section 21-5*

17-16-2 Category B home occupations shall meet the following standards:

- a. No more than two hundred (200) square feet or twenty percent (20%) of the dwelling shall be used in connection with the operation of the home occupation.*
- b. There shall be no change in the exterior of the structure to indicate the use.*
- c. Only one (1) employee, other than members of the immediate family, is allowed.*
- d. Signs as specified in Article 21 are allowed.*
- e. **Such use is compatible with the neighborhood. Incompatible uses are those which have characteristics such as, but not limited to, odor, dust, noise, external storage of materials or equipment, the creation of traffic and/or parking problems, and/or other qualities not compatible to the character of the neighborhood.***

The use proposed falls into 17-16-2e and, therefore, requires a Special Use Permit.

After discussion, Mrs. Lowe made a motion that recommendation be made to Town Council to grant the request for a Special Use Permit to Aaron C. Hicks, for operation of a small barbeque catering business to be located at 1142 Panorama Drive. Mr. Bundy seconded the motion.

VOTE:

Mrs. Lowe	Aye
Mr. Bundy	Aye
Mr. Kelly	Aye
Mr. Shuman	Aye
Dr. Pillion	Aye
Mr. Kimbrell	Abstained
Dr. White	Abstained

The motion passed.

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(4) CERTIFICATE OF APPROPRIATENESS/SITE PLAN REVIEW - **TruPoint Bank, Thomas Weems, Representative**, P. O. Box 1010, Grundy, VA 24614; application for Certificate of Appropriateness for approval of **proposed single-story structure to be located on two (2) parcels of land located at 588 and 600 East Main Street. Tax Map No. 7 (3) 14 and 7 (3) 19.**

Mr. Mullins explained that this is a request for approval of a Site Plan for the proposed TruPoint Bank to be located on East Main Street on the two (2) vacant lots, across from Boone Street. The proposed 3,758 sq. ft. building will be brick and look similar to another TruPoint Bank branch in Pounding Mill, Virginia.

Mr. Dew stated that in reviewing the Site Plan for this project, the plan called for two (2) two-way entrances to the site and originally, recommendation was made that it be reduce to one (1) two-way entrance to be in alignment with Boone Street. Mr. Dew further explained that July 1 of this year, the Virginia Department of Transportation introduced updated standards titled “**Access Management Design Standards for Entrances and Intersection, Principal Arterials**”. In making this recommendation, it was thought that East Main Street was considered an urban principal arterial and using the referenced standards, this development would be justified to have one (1) two-way entrance, possibly with access limited to “right in-right out” only.

Mr. Dew continued to explain that Mr. Lewis, Civil Design Engineer, for the project had been in contact with Mr. Chandler, with Virginia Department of Transportation in Richmond and as a result of the contact, Mr. Lewis had been advised by Mr. Chandler that this section of East Main Street is considered a minor arterial which could change some of criteria guidelines that VDOT has for entrances. With this being the case Mr. Dew stated that he would like to talk with Mr. Chandler in order to discuss the distinction between principal arterial and minor arterial, and what impact it would require in the entrance requirements. If indeed considered a minor arterial, he would like to look at the configuration once again.

Other requirements to be met by the Public Works Department are as follows:

- applicant must specify entrance as Virginia Department of Transportation standard CG-9D
- sidewalk must be five (5) feet in width
- sidewalk must be located adjacent to the right-of-way/property line to maximize pedestrian access route and utility strip

Mrs. Lowe made a motion to grant approval, once the recommendations for the erosion and sediment control, and entrance have been reviewed by Mr. Dew and Mr. Smith, accepted by both parties, and signed off by the Town Manager. Mr. Kimbrell seconded the motion, with unanimous approval.

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(5) VACATION OF A PORTION OF A RECORDED PLAT - Greystone Heights Subdivision Emmitt Yeary, Representative, Lots 33 and 34 of Greystone Heights Subdivision, pursuant to Section 11.1, Article XI of the *Code of the Town of Abingdon* and Section 15.2-2272(1) of the *Code of Virginia, 1950*, as amended.

Mr. Jackson, Director of Planning, explained the reason for the request for vacation of a portion of the property, indicating that this vacation had no adverse effect on adjoining property owners, no opposition had been noted by the property owners, and the owners of the Lots 33 and 34 were both in agreement to vacate the recorded plat relative to those lots.

Mrs. Icenhour, Town Attorney, stated that pursuant to Article 11.1, with reference to Article 11.1, Virginia Code § 15.2-2272. Vacation of plat after sale of lot, Section 1. “*In cases involving drainage easements or street rights-of-way where the vacation does not impede or alter drainage or access for any lot owners other than those lot owners immediately adjoining or contiguous to the vacated area, the governing body shall only be*

required to obtain the signatures of the lot owners immediately adjoining or contiguous to the vacated area”, and having signatures of both property owners and the governing body of the Town, the Town would contend that Mr. Yeary’s request does fall pursuant to this part of the Code.

After discussion, Mr. Kelly made a motion that it be recommended to the Town Council that the plat entitled A Replat of Lots 33, 34, 53, 63, that is of record in the Circuit Court Clerk’s Office in Plat Book 15, Page 69, be vacated insofar as it pertains to Lots 33 and 34. Mrs. Lowe seconded the motion, with unanimous approval.

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- (6) Review of pedestrian safety enhancements for residential streets and establish criteria for future enhancement.

Mr. Dew explained that after a review of street conditions, traffic data, resident input, and literature and research available on traffic control and traffic calming, he had come to some conclusion on a course of action for the residents request for traffic calming on Stonewall Heights between Oak Hill Street and Court Street.

The Virginia Department of Transportation has a publication titled “**Traffic Calming Guide for Local Residential Streets**” that outlines a procedure for the request, study, and implementation of traffic calming measures. The procedure was somewhat followed on the Stonewall Heights request. Many communities nationwide have established procedures and policies for consideration and implementation of traffic calming measures.

After explaining the Stonewall Heights request, Mr. Dew stated that he would recommend that the guidelines presented in the Virginia Department of Transportation document be followed until such time that Public Works staff, the Planning Commission, and Town Council can define and adopt a policy for the Town, especially for local residential streets.

After further discussion, the Planning Commission agreed to accept this study as a task, and Mr. Kelly and/or Mrs. Lowe will communicate to Town Council that the Planning Commission is working on this study and a report or recommendation will be forthcoming before the scheduled meeting in October of Town Council, at which time pedestrian safety is part of the agenda.

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- (7) Recommendation of speed limit reduction and traffic calming on Stonewall Heights.

Mr. Dew explained that any consideration of traffic calming measures should include the collection of data on roadway classification, surrounding land use, accident history, property owner support, existing speed limits, traffic volumes, roadway geometry, and constructability.

Mr. Dew felt that given the street characteristics (narrow width, on-street parking, and straight alignment) and the traffic data collected, a posted speed limit reduction could improve the ability of the Police Department to have an impact on unsafe vehicle speeds through enforcement. This would be a traffic control measure, however, at this time, he did not recommend any traffic calming measures, but will re-evaluate after a policy has been established.

After discussion, Dr. White made a motion that it be recommended to Town Council to create a 15 MPH speed limit on Stonewall Heights, between Court Street and Oak Hill Street. Mr. Kimbrell seconded the motion, with unanimous approval.

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

Kenneth Shuman, Chairman

Gregory W. Kelly, Secretary