

TOWN OF ABINGDON  
PLANNING COMMISSION  
REGULAR MEETING  
SEPTEMBER 25, 2006 - 7:00 P.M

The regular meeting of the Abingdon Planning Commission was held Monday, September 25, 2006, at 7:00 P.M. The meeting was held in the Municipal Building, Downstairs Meeting Room.

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

ROLL CALL

Members Present: Mr. Gary Kimbrell, Chairman  
Mrs. Cathy Lowe  
Dr. Ramsey White  
Mr. Kenneth Shuman  
Mrs. Harriett DeBose  
Mr. Matthew T. Bundy

Comprising a quorum of the Commission

Members Absent: Mr. G. M. Newman

Administrative Staff: Mr. W. Garrett Jackson, Director of Planning/Zoning  
Mr. Gregory W. Kelly, Town Attorney  
Mr. Jimmy C. Smith, Town Engineer

Visitors: Mr. Harry L. McKinney, Jr.  
Mr. Myron Couch  
Mrs. Tracy Couch  
Ms. Lynda Campbell  
Ms. Nancy Goolsby  
Dr. Charlene Trulick  
Mrs. Sylvia White  
Mrs. Jan Hurt  
Mr. Sam Hurt  
Mr. Sidney Potter  
Mr. Jeff Johnson  
Mr. James Brown  
Ms. Carol Jones  
Mr. J. J. Jessee  
Mr. David Mullins  
Mr. Joseph Whitehill  
Others

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(2) Approval of Minutes: Regular Meeting, June 26, 2006 (Incomplete)  
Regular Meeting, August 21, 2006 (Incomplete)

Mr. Jackson advised that the minutes for the regular meetings, June 26, 2006 and August 21, 2006 remain incomplete, due to a malfunction in the recording machine however, as soon as they are completed they will be presented for approval.

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## (3) PUBLIC HEARING

PROPOSED REZONING - **Lynda Campbell**, 301 Front Street, Abingdon, Virginia 24210; and others; application to rezone six (6) properties in the DEPOT SQUARE VICINITY, from Residential (R-3) and Central Business (B-3), to Old and Historic District (OH) and to establish the permitted uses as a matter of right.

This Public Hearing was held in regards to the proposed uses for the Depot Square Historic District. Several concerned residents of this district were in attendance and voiced their concerns of the proposed uses being considered.

After a discussion Dr. White made a motion that **Subsection 8-2-13 (north of railroad tracks)** be recommended to Town Council for approval, to include uses permitted in the new Depot Square Historic District, as follows:

- Restaurants
- Specialty Retail Shops
- Museums
- Professional Studios

Mrs. Lowe seconded the motion.

## VOTE:

Dr. Ramsey White – AYE

Mr. Matthew Bundy – AYE

Mrs. Harriet DeBose – AYE

Mrs. Kenneth Shuman – AYE

Mr. Gary Kimbrell – AYE

Mrs. Cathy Lowe – AYE

A second motion was made by Dr. White that **Subsection 8-2-14 (south of railroad tracks)** be recommended to Town Council for approval, to include uses permitted as listed, with the use of **Specialty Retail Shops and Restaurants** to be included as **Special Uses for Subsection 14 only**:

- Bed and Breakfasts
- Single-family Residential
- Multi-family Residential
- Museums
- Party House

Mrs. Lowe seconded the motion.

## VOTE:

Dr. Ramsey White – AYE

Mr. Matthew Bundy – AYE

Mrs. Harriet DeBose – AYE

Mrs. Kenneth Shuman – NAY

Mr. Gary Kimbrell – AYE

Mrs. Cathy Lowe – AYE

At that time motion was made by Mrs. Lowe that Subsection 8-2-13 and Subsection 8-2-14 be recommended to Town Council for approval to be included in the Old and Historic District.

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(4) PUBLIC HEARING

PROPOSED AMENDMENT - Amend and Renact the Town of Abingdon Zoning Ordinance

**Article 8, Section 8.2**

Article 8 of the Zoning Ordinance of the Town of Abingdon Section 8-2 (and all subsections of Section 8-2) are hereby repealed, amended and reenacted as follows:

Section 8-2 Permitted uses – By right

Certain uses shall be permitted by right in the OH Old and Historic District specifically designated and located in the Old and Historic District Map as follows:

- |                                                                                                                                                                                                                                                                                                                            |                                                                                                                                                                                                                                                                         |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>8-2-1 a) Bed and Breakfasts<br/> b) Farmer’s Market<br/> c) Hotels<br/> d) Infrastructure<br/> e) Lofts<br/> f) Neighborhood parks<br/> g) Professional studios<br/> h) Professional offices<br/> i) Restaurants<br/> j) Single-family dwellings<br/> k) Specialty retail shops<br/> l) Theatres<br/> m) Townhouses</p> | <p>8-2-2 Bed and Breakfasts<br/> Churches<br/> Home occupations<br/> Infrastructure<br/> Neighborhood parks<br/> Professional offices<br/> Professional studios<br/> Specialty retail shops<br/> Single-family dwellings<br/> Townhouse<br/> Two family dwellings</p>   |
| <p>8-2-3 Bed and Breakfasts<br/> Churches<br/> Home occupations<br/> Infrastructure<br/> Lofts<br/> Professional offices<br/> Professional studios<br/> Restaurants<br/> Single-family dwellings<br/> Specialty retail shops<br/> Townhouses</p>                                                                           | <p>8-2-4 Bed and Breakfasts<br/> Churches<br/> Courthouse<br/> Home occupations<br/> Infrastructure<br/> Lofts<br/> Neighborhood parks<br/> Professional studios<br/> Professional studios<br/> Single-family dwellings<br/> Specialty retail shops<br/> Townhouses</p> |
| <p>8-2-5 Bed and Breakfasts<br/> Churches<br/> Home occupations<br/> Single-family dwellings<br/> Infrastructure<br/> Lofts<br/> Neighborhood parks<br/> Townhouses<br/> Professional offices<br/> Professional studios<br/> Restaurants</p>                                                                               | <p>8-2-6 Bed and Breakfasts<br/> Infrastructure<br/> Lofts<br/> Neighborhood parks<br/> Professional offices<br/> Single-family dwellings<br/> Specialty retail shops<br/> Townhouses</p>                                                                               |

Specialty retail shops

- 8-2-7 Bed and Breakfasts
- Home occupations
- Infrastructure
- Lofts
- Neighborhood parks
- Professional Offices
- Professional studios
- Single-family dwellings
- Townhouses

- 8-2-8 Cemeteries

- 8-2-9 Bed and Breakfasts
- Infrastructure
- Lofts
- Neighborhood parks
- Professional offices
- Professional studios
- Single-family dwellings
- Townhouses

- 8-2-10 Bed and Breakfasts
- Educational Facilities
- Home occupations
- Infrastructure
- Library
- Lofts
- Museums
- Neighborhood Parks
- Professional offices
- Professional studios
- Single-family dwellings

- 8-2-11 Bed and Breakfasts
- Home occupations
- Infrastructure
- Lofts
- Neighborhood parks
- Professional offices
- Professional studios
- Single-family dwellings
- Townhouses

- 8-2-12 Bed and Breakfasts
- Home occupations
- Infrastructure
- Lofts
- Museums
- Neighborhood parks
- Professional studios
- Reconstruction of Black's Fort
- Single-family dwellings
- Specialty retail shops
- Theatres
- Townhouses

- 8-2-13 Restaurants
- Specialty Retail Shops
- Museums
- Professional Studios

- 8-2-14 Bed and Breakfasts
- Single-family dwellings
- Multi-family dwellings
- Museums
- Party Houses

- 8-2-15 Public Utilities

- 8-2-16 Accessory Uses

- 8-2-17 Signs as approved by Board and as permitted by Article 21 of this ordinance.  
See also Section 21-3-7.

- 8-2-18 Off-street parking as required by section 17-6 of this ordinance.

This Public Hearing was held regarding the addition of Professional Offices in Subsection 7 of the Old and Historic District.

Members of the Planning Commission who had worked on the “ad hoc committee” explained why they chose to leave this use out of this particular subsection. All uses for 8-2 were changed, Professional Office was removed from 8-2-7.

Several concerned residents of this district were in attendance and voiced their concerns of the proposed uses being considered.

After discussion, Mrs. Lowe made a motion that Professional Offices be included in Section 8-2-7, by right. Mr. Bundy seconded the motion.

Dr. White suggested that the matter have further discussion. Several residents spoke and after hearing comments, seven (7) citizens were in favor of the addition and two (2) were against the addition of Professional Offices.

Mrs. Lowe stated that this is a Public Hearing, there is a motion on the table and it was time to vote. The vote was as follows:

VOTE:

- Dr. Ramsey White – NAY
- Mr. Matthew Bundy – NAY
- Mrs. Harriet DeBose – AYE
- Mr. Kenneth Shuman – NAY
- Mr. Gary Kimbrell – NAY
- Mrs. Cathy Lowe - AYE

By vote, a recommendation will be made by the Planning Commission to the Town Council, that Professional Offices NOT be included in Subsection 7.

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- (5) CERTIFICATE OF APPROPRIATENESS - **Canterury House Antiques, Cynthia Diane Sargent, Owner/Representative, Owner/Representative**, 1550 Earls Branch Road, Cedar Bluff, Virginia 24609; application for Certificate of Appropriateness for approval of sign to be located at **440 West Main Street. Tax Map No. 9 (11) 2.**

This is a request for approval of one (1) sign to be located at 440 West Main Street. The size of the proposed sign will be 30” x 20”, having white background , burgundy lettering and border, and will be mounted on landscape timbers, painted white, with flowers planted around posts. The sign will read “CANTERURY HOUSE ANTIQUES”.

After discussion, Dr. White made a motion that this sign request be approved. Mrs. Lowe seconded the motion, with unanimous approval.

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- (6) CERTIFICATE OF APPROPRIATENESS - **Baja Café, Jared Yelton, Owner**, 301 East Main Street, Abingdon, Virginia 24210; **represented by J. J. Jessee, Bristol Sign Company**, P. O. Box 5511, Bristol, Virginia 24203; application for Certificate of Appropriateness for approval of signage to be located at **301 East Main Street. Tax Map No. 13 (1) 73.**

This is a request for approval of two (2) sign to be located at 301 East Main Street. One of the proposed signs will be 32” x 28”, to be mounted in existing wood structure. The second sign will be 4’ x 6’ in

size, to be attached to .040 aluminum. Each sign will have purple background, with burnt orange lettering and white border. The proposed signs will read "BAJA CAFÉ".

After discussion, Mr. Shuman made a motion that the requested signage be approved. Mrs. Lowe seconded the motion, with unanimous approval.

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- (7) CERTIFICATE OF APPROPRIATENESS - **Abingdon Travel Center, Rakesh K. Bhakhri, Owner/Representative**, P. O. Box 2523, Abingdon, Virginia 24212; application for Certificate of Appropriateness for approval of sign to be located at **611 Cummings Street. Tax Map No. 105 (6) 26.**

This is a request for approval of one (1) sign to be located at 611 Cummings Street. The size of the proposed sign will be 3' x 8', having red background and white lettering. The sign will read "ABINGDON TRAVEL CENTER Gifts Beer Cold Drinks Food".

After discussion, Mrs. Lowe made a motion that the modified sign be approved, with the omission of the word "Beer". The motion was seconded by Mrs. DeBose, with unanimous approval.

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- (8) CERTIFICATE OF APPROPRIATENESS - **The Dunk & Deli Company, Joseph Whitehill**, 924 East Main Street, Abingdon, Virginia 24210; application for Certificate of Appropriateness for approval of proposed construction for drive-through to be located at **961 West Main Street (Morrell's Shoe Store). Tax Map No. 104 (A) 62.**

This is a request for approval of proposed construction for drive-through to be located at 961 West Main Street.

The proposed construction would be an extension of the Dunk & Deli, serving donuts and coffees from 6:00 A.M. to 11:00 A.M. on a drive-through basis only.

The proposed construction will be constructed as follows:

- Foundation: 2" x 6" on 4" x 4" skids
- Walls: 1/2 OSB with 1/2 drywall on 4" x 4" frame
- Door: 36" vinyl
- Window: 48" vinly siding
- Roofing: Single (Gray)
- Outside Wall: Painted (Red)/Vinyl/Brick

After discussion, Dr. White made a motion that the proposed construction be approved. Mrs. Lowe seconded the motion, with unanimous approval.

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- (9) CERTIFICATE OF APPROPRIATENESS AND SITE PLAN APPROVAL - **Highlands Community Services**, 510 Cumberland Street, Bristol, Virginia 24201, **represented by Scott Wilson, Thompson & Litton, Inc.**, 100 Fifth Street, Suite 100, Bristol, Tennessee 37620; Certificate of Appropriateness for approval to construct proposed two-story structure to be located at **Campus Drive @ Russell Road. Tax Map No. 104 (11) 4. (Tabled from the August 21, 2006 meeting).**

This application was reviewed by the Planning Commission at the regular meeting, September 21, 2006, at which time a request was made for approval to construct a proposed two-story structure to be located at Campus Drive at Russell Road.

At the September 21<sup>st</sup> meeting, Mr. Scott Wilson of Thompson & Litton, Inc. explained that Highlands Community Services was preparing to build a new, two story, 42,000 sq. ft. facility that would allow them to consolidate eleven of their offices into one central location. He gave a description of materials to be used in constructing the proposed structure, further stating that Highlands Community Services was requesting a waiver in the requirement of 400 parking spaces to be reduced to 200 parking spaces, explaining that with this type of business, 400 parking spaces would be unnecessary. At that time the variance request for 200 parking spaces were approved.

Mr. Wilson stated that with the submission of the Site Plan, allowance for 200 parking spaces has been made with building remaining unchanged, indicating that the structure would be a two-story construction, approximately 42,000 sq. ft. in size and would be located at Campus Drive at Russell Road.

After discussion, Dr. White made a motion that the Site Plan be approved. Mrs. Lowe seconded the motion, with unanimous approval.

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(10) CERTIFICATE OF APPROPRIATENESS - **Highlands Development, LLC, David Mullins, Manager/Representative**, P. O. Box 4002, Wise, Virginia 24293; application for Certificate of Appropriateness for approval of proposed addition to existing structure located at **475 West Main Street. Tax Map No. 18 (1) 18B.**

This is a request for approval of proposed addition to existing structure located at 475 West Main Street.

Mr. Mullins explained that the existing structure, approximately 4,000 sq. ft. used for office space, housing Highlands Development, LLC, consisting of twelve employees is in need of more office space.

The proposed construction will consist of an addition with areaway attachment to existing office. The addition will increase work space approximately 3,000 sq. ft., to include conference room, eight (8) office spaces, with room to continue to grow.

The new construction will be a two-story brick/vinyl with crawl space under majority and areaway on-grade and will consist of the following:

- Brick masonry to match existing from grade up to first floor window sill
- White vertical vinyl siding above to roof
- Black shutters at new vinyl double-hung windows
- Black asphalt shingled roof to match existing
- White aluminum gutters and downspouts
- White steel doors with windows
- White vinyl trim
- Wall mounted exterior lighting
- Four (4) additional parking spaces

After discussion, Dr. White made a motion that the proposed addition to existing structure be approved. Mrs. Lowe seconded the motion, with unanimous approval.

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(11) FOR PROPOSED ADOPTION - **BYLAWS, ABINGDON PLANNING COMMISSION**

After discussion, Mr. Shuman made a motion that the BYLAWS for the ABINGDON PLANNING COMMISSION be approved as submitted. Dr. White seconded the motion, with unanimous approval.

Dr. White made a motion that Mr. Shuman be appointed as Vice-Chairman to the Planning Commission. Mrs. Lowe seconded the motion, with unanimous approval.

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Mr. Jackson reminded the Planning Commission members that a Workshop was scheduled for October 18<sup>th</sup> but the meeting date needed to be changed. After discussion it was the consensus of the Planning Commission that the meeting date for Workshop would be Monday, October 30, 2006, 5:30 P.M.

Mr. Jackson also advised there would be a retirement reception in honour of Mr. G. M. Newman, Town Manager, to be held October 5<sup>th</sup>, 3:00 P.M. to 5:00 P.M., at the G. M. Newman Building (Police Station), second floor, and that all commission and board members are invited to attend.

There being no further business the meeting was adjourned.

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Gary Kimbrell, Chairman

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G. M. Newman, Secretary