

TOWN OF ABINGDON
PLANNING COMMISSION
REGULAR MEETING
SEPTEMBER 29, 2005 - 7:30 P.M.

The Regular Meeting of the Abingdon Planning Commission was held Thursday, September 29, 2005, at 7:30 P.M. (*rescheduled from Monday, September 26th*). The meeting was held in the Municipal Building, Downstairs Meeting Room.

The meeting was called to order by Mrs. Doris Shuman, Chairman.

ROLL CALL

Members Present: Mrs. Doris Shuman, Chairman
Mr. G. M. Newman
Mr. Edward B. Morgan
Mr. Kenneth Mathews

Comprising a quorum of the Commission

Members Absent: Mr. Richard A. Stevens, Vice-Chairman
Mrs. Harriett DeBose
Dr. Ramsey White

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

Visitors: Mr. James B. Schuster
Mr. Ben Hamby
Mr. Brandon Snodgrass
Mr. J. Matthew Smith
Mr. Sean Reed
Mr. Ken Addison

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(2) Approval of Minutes: Regular Meeting, August 22, 2005

Mr. Newman made a motion, seconded by Mr. Morgan to approve the minutes for the regular meeting held on Monday, August 22, 2005. The motion was unanimously approved.

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(3) CERTIFICATE OF APPROPRIATENESS - **Commonwealth Community Bank (James B. Schuster/President, Representative)**, 914 West Main Street, Abingdon, Virginia 24210; application for Certificate of Appropriateness for approval of signage to be located at **“Miners & Merchants Bank”, 914 West Main Street. Tax Map No. 16 (1) 3A**

This is a request for approval of signage to be located at “Miners & Merchants Bank”, 914 West Main Street.

The requested signage will include an illuminated, monumental sign, non-illuminated projecting wall sign and new double faced, illuminated canopy cover. The size of the monumental sign will be 14 ft. 6 in. x 7 ft. 4 in., blue and gray in color with gold and white lettering. The size of the projecting wall sign will 4 ft. x 10 ft., with gold and white lettering. The canopy cover will be blue and gray in color with gold and white lettering.

After discussion, Mr. Newman made a motion that the requested signage be approved. Mr. Mathews seconded the motion, with unanimous approval.

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- (4) CERTIFICATE OF APPROPRIATENESS - **ALLSTATE Empire Insurance Agency, Inc., April Hamby, Ben Hamby and Jason Hamby (Ben Hamby/Chuck Robins, Representatives)**, 439 East Mai Street, Abingdon, Virginia 24210; application for Certificate of Appropriateness for approval of the following: (1) one (1) sign, (2) replacement windows, (3) pave existing graveled parking area and (4) enclose heating unit for property located at **439 East Main Street. Tax Map No. 14 (1) 6.**

This application was previously discussed at the regular meeting, August 22, 2005, when Mr. Hamby requested approval for one (1) sign to be located at 439 East Main Street. After discussion, he withdrew his application in order that he might contact the corporate office for Allstate Insurance to determine if he might have another option in the sign design. The new proposed sign will be 4 ft. x 7 ft. in size with sign colors to match color scheme of existing structure. The sign will be mounted on two wooden decorative posts.

Mr. Hamby is also requesting approval to replace existing windows with new vinyl, insulated windows having brown trim that will match structure trim.

It is also requested that approval be granted to surface the existing graveled parking area, remove a diseased maple tree (*Town Arborist has indicated tree needs to be removed*) and place landscaping buffer between East Main Street and structure.

After discussion, Mr. Newman made a motion that all requests be approved. Mr. Morgan seconded the motion, with unanimous approval.

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- (5) CERTIFICATE OF APPROPRIATENESS - **Snodgrass Law Firm, P.L.L.C. (Brandon Snodgrass, Representative)**, 380 Porterfield Highway, Abingdon, Virginia 24210; application for Certificate of Appropriateness for approval of one (1) sign to be located at **380 Porterfield Highway. Tax Map No. 104A (4) 2.**

This is a request for one (1) sign to be located at 380 Porterfield Highway.

The size of the sign will be 5 ft. x 10 ft., with dark blue background, ivory lettering, with chiseled border. The sign will be bolted into retaining wall block, on largest spot on the wall. The sign will read “**SNODGRASS LAW FIRM, P.L.L.C., BANKRUPTCY, REAL ESTATE, DISABILITY & INJURY**”. The structure’s trim will be painted white with black wrought iron around top of retaining wall.

After discussion, Mr. Morgan made a motion that the request be approved. Mr. Mathews seconded the motion, with unanimous approval.

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- (6) CERTIFICATE OF APPROPRIATENESS - **Joseph Matthew Smith**, 14139 Hawks Meadow, Abingdon, Virginia 24210; application for Certificate of Appropriateness for approval of renovation to include: (1) paving (2) brick or vinyl siding, (3) replacement windows and (4) shrubs with general landscaping for property located at **128 Pecan Street. Tax Map No. 13 (1) 120AA.**

This is a request for approval to pave a parking area, install brick or vinyl siding on existing structure, replace existing windows and replace existing shrubs, with general landscaping for property located at 128 Pecan Street.

After discussion, Mr. Morgan stated that he felt Mr. Smith needed to submit a more detailed plan and design of the proposed renovation project before this application could be considered. Mr. Newman concurred with Mr. Morgan’s suggestion. Mr. Smith was in agreement and he will meet with Mr. Jackson for guidance as to what further information he needs to submit.

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- (7) CERTIFICATE OF APPROPRIATENESS - **Super Dollar Discount Foods (K-VA-T Food Stores, Inc., Sean Reed and Don Smith, Representatives)**, 201 Trigg Street, Abingdon, Virginia 24210; application for approval to renovate the **old Lowe’s Grocery Store located at 789 East Main Street. Tax Map No. 7 (1) 3.**

This is a request for approval to renovate the old Lowe’s Grocery Store structure located at 789 East Main Street.

It is requested that four (4) additional parking lot lights, each light being 20 ft. in height, be used as a part of this renovation. The front metal facade will be replaced with same type of materials and same color.

The structure will be used for a Super Dollar-Discount Foods store.

After discussion, Mr. Morgan made a motion that the requests be approved, as presented. Mr. Mathews seconded the motion, with unanimous approval.

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- (8) CONSIDERATION OF PRELIMINARY SUBDIVISION PLAT - **Church Street Estates (Yellow Poplar Development LLC, Michael L. Edwards, Owner/Manager)**, 448 Cummings Street, No. 288, Abingdon, Virginia 24210, property being **located on the west side of North Church Street between Valley Street and Hill Drive Tax Map No. 12 (1) 17, 18.**

The proposed Church Street Estates Subdivision is located on the west side of North Church Street between Valley Street and Hill Drive. The development subdivides two (2) lots previously known as the Hortenstine Lands into eight (8) lots totaling 3105 acres. Access to the lots will be via driveway entrances off the west side of North Church Street and a; proposed new street to be named Yellow Poplar Court (a cul-de-sac), which is to be dedicated to the Town of Abingdon as public right-of-way.

The designer’s initial request was to reduce the width of pavement on Yellow Poplar Court to 20 feet and eliminate curb, gutter and sidewalk in favor of constructing Low Impact Development structures such as grass shoulders and grass swales containing Low Impact Development areas.

The Department of Public Works response to this request was that curb and gutter should be constructed on both sides of Yellow Poplar Court. Experience indicates that the best way to control storm water runoff from a street with such a steep slope is with bur and gutter, to avoid roadside ditch erosion.

After the developer discussed the matter with the Public Works Department the following requests for waivers are as follows:

1. Waiver of sidewalk requirement on the north side of Yellow Poplar from entrance to Lot 8 to North Church Street.

Response from Director of Public Works indicates that the sidewalk on the south side of Yellow Poplar to the entrance of Lot 8 will provide pedestrian safety for residents of Lots 1, 6, 7, and 9. Lots 1 and 2 of the adjacent subdivision have access to the west side of Church Street and the south side of Hill Drive. There is no objection to waiving sidewalk construction the north side of Yellow Poplar from the existing dwelling entrance, Lot 8, to North Church Street.

2. Reduce pavement width to 24' from face-of-curb to face-of-curb.

Response from Director of Public Works indicates the Town's Subdivision Ordinance requires a minimum pavement surface width (face-of-curb to face-of-curb) of 36 feet. In order for the Town to receive maintenance payment from the Virginia Department of Transportation, a minimum roadway width, including gutter of 30 feet must be constructed. Because of this requirement, it is agreed that the street may never be extended; a minimum face-of-curb-to-face-of-curb width of 30 feet is acceptable.

3. Route curb, gutter and sidewalk on Yellow Poplar Court around the 36-inch Yellow Poplar tree.

Response from Director of Public Works indicates that the Town's arborist, Kevin Sigmon, was asked to recommend an area of protection for the tree. According to the plat, the yellow poplar is about 14 feet inside the proposed public right-of-way and near the back edge of the curb. Based on Mr. Sigmon's observations, attempted preservation of the tree on public right of way is not recommended. If the Planning Commission should allow routing around the tree, it is recommended moving the outside edge of the sidewalk to the property line to minimize construction disturbance in the area of the tree.

The face-of-curb turn-around radius of 40 feet for the cul-de-sac is consistent with the requirements of the Subdivision Ordinance and Mr. Joey Burke's (Fire Chief) recommendation.

The proposed improvements on the west side of Church Street were consistent with the requirements of the Subdivision Ordinance.

After discussion, Mr. Newman made a motion that the preliminary plat be approved subject to the recommendations by the Public Works Department which are as follows: (1) waive the sidewalk requirement on the north side of Yellow Poplar Court from the entrance to Lot 8 to North Church Street, (2) construct Yellow Poplar Court pavement, excluding the turn-around, to a width for 30 feet face-of-curb to face-of-curb and (3) do not allow the curb, gutter and sidewalk to be routed around the Yellow Poplar tree. Mr. Morgan seconded the motion.

VOTE: Mr. Newman, Aye
 Mr. Morgan, Aye
 Mr. Mathews, Aye
 Mrs. Shuman, Abstained

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- (9) **PROPOSED SITE PLAN - Walgreen Project, Option Three (Revised), dated July 26, 2005 and received September 12, 2005, ED STREET COMPANY DEVELOPMENT/CONSTRUCTION, (Ed H. Street, Jr., Representative), P. O. Box 6135, 2513 Wesley Street, Suite 4, Johnson City, Tennessee 37602**

This is a revised site plan for the Walgreen Project, submitted by Mr. Ed Street who represents the project. It was apparent that Mr. Street has endeavored to include changes which do not involve modifications to the existing traffic signals. However, the Town supports the modifications recommended in the comments and sketches from Mattern and Craig for the following reasons:

1. Constructing the new island to within two (2) feet of the pavement on the existing east bound through lane with the nose of the island extending to the existing stop bar on the through lane prevents vehicles from using the deceleration/acceleration lanes as an additional through lane to bypass the intersection.
1. Shifting the right-out egress lane approximately 20 to 25 feet east avoids relocating the existing mast arm traffic signal pole and streetlight. It has the additional benefit of preventing unacceptable left turns and eliminating conflicts between the currently protected SB left turn movement from Porterfield Highway onto Main Street. Placing the one-way sign in the median and the no left turn sign in the new island will further reinforce the right turn only movement. The Town does not want a motorist to make a left turn or straight through movement and the geometrics must support that requirement. Designing the right-out lane with consideration of the sight line for oncoming traffic from the west and placing it under stop control should enhance the safety of the movement
3. It is felt that expanding the new island to the east has more safety benefits than maintaining an acceleration lane. It is agreed that a short acceleration lane is of little benefit and that the most effective use of the space would be to lengthen the deceleration/right turn lane onto Holston Street.

It is felt that the above modifications will reduce construction expenses and maintain the safety concerns that Mr. Street has for the Walgreen's customers.

A separate Traffic Impact Study for the final configuration will be required. This will include a level of service analysis for the two signalized intersections and an initial coordinate cycle length for the interconnected signals. Details have been furnished by Mattern & Craig.

The proposed plan indicates that a portion of the frontage improvements, which should be maintained by the Town of Abingdon, must be constructed on private property. Any private property which is needed for construction of roadway improvements, including up to one foot behind the back of the relocated curb, will have to be platted and dedicated to the Town of Abingdon for public right-of-way.

The Town will request that the developer have his engineer meet with the Town to discuss the intended approach as to how the internal site traffic flow will mesh with the Holston Street traffic, so that the best possible arrangement can be agreed upon.

The developer will be required to submit construction plans for review and approval by the Public Works Department. After the preliminary construction plans are reviewed by the Town, as have all signalization projects in the past been done, they will need to be submitted to the Virginia Department of Transportation for review and comments before final approval. Other normal site development requirements will have to be met such as an erosion and sediment control plan which will have to be approved before a Land Disturbing Permit will be issued.

After discussion, Mr. Mathews made a motion that the proposed site plan be approved. Mr. Morgan seconded the motion, with unanimous approval.

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(10) DISCUSSION

Comprehensive Plan Proposals

Mr. Jackson stated that the Planning Commission needed to select three (3) members to serve on an interview team for Comprehensive Plan Proposals. There have been two proposals received, Hill Studios and K. W. Poore & Associates.

Mr. Morgan and Mrs. Shuman stated they would like to participate on the committee, with Mrs. Shuman serving as chairperson. Mr. Stevens was also selected to serve on this committee.

Empire Drive Development

CERTIFICATE OF APPROPRIATENESS - Mackey Casey, 1050 Wilcox Court, Suite 105, Kingsport, Tennessee 37660, (Stephen E. Browning, P.E.), requesting approval of one-story, commercial building to be used as lease (retail) space to be located on **Empire Drive. Tax Map No. 106 (18) 8.**

Mr. Jackson reminded the Planning Commission members that this application was submitted for consideration at the regular meeting, August 24, 2005, but was not submitted with completed plans. He further stated that the Commission gave approval for this request, subject to review of the elevation by himself, Mr. Newman and Mrs. Shuman. (The motion was based on the opinion given by Mr. Greg Kelly, Town Attorney).

Mr. Newman, Mrs. Shuman, and Mr. Jackson, met with Mackey Casey, concerning the proposed development on Tuesday, August 25, 2005, at which time Mr. Casey presented the required elevation drawings, and color rendering of the proposed site. The drawings showed a brick building with Virginia Green awning to give the impression of an angled roof. Parking was shown on three (3) sides of the structure, with a few of those spaces located in the front. The developer was asked to use trees and shrubbery to add to the aesthetics of the property and he agreed to show a plan for landscaping as the project moved forward.

Mr. Jackson commented that if the plans are followed, as presented, the building will be a nice addition to East Main Street. It is felt that this particular area has brought a great deal of interest from other developers and the approval of this project, as presented, will set a precedent for the style and nature of future developments.

Nancy’s Fancy’s Cakes & Catering, (Nancy Goolsby) - Renewal of Special Use Permit

Mr. Morgan reminded the Commission that the renewal of a Special Use Permit for Nancy’s Fancy’s was discussed at the last meeting and asked what the status was regarding this matter. Mr. Jackson stated that a letter was mailed, having had no response from the owner, and the Town Attorney is preparing a second notice to be mailed.

Mr. Morgan stated that the business license has expired and he hopes communication can be made and that the owner will take care of the needs in this matter in order that the it not be necessary to have the license rescinded.

After discussion, Mr. Morgan made a motion that the business, Nancy's Fancy's, and their owners, be notified that the Special Use Permit for that business has expired and in order to continue in business and to have a renewal of the permit considered, they must be present at the next Planning Commission meeting, October 27th Mr. Newman seconded the motion, with unanimous approval.

Proposed Farmer's Market

Mr. Newman stated that Mr. Jackson has prepared a proposal for a new Farmer's Market. This will be a permanent facility used as a farmer's market, place for concerts (enabling to close Remsburg Drive instead Main Street for future purposes) The proposed facility will be submitted to the Board of Architectural Review due to the property being located in the Old & Historic District.

Committee Addressing Modification of Historic District Ordinance

Mr. Morgan stated that there had been three (3) meetings held regarding the conversion of residential property to business property and another meeting is planned for October. He commented that he is very pleased with the progress made, and he is hopeful to have a possible ordinance ready for consideration at the Planning Commission meeting in October.

Mr. Vernon stated that he hopes to have the revised Subdivision Ordinance available for review at the Planning Commission meeting in October.

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There being no further business the meeting was adjourned.

Doris Shuman, Chairman

G. M. Newman, Secretary