

TOWN OF ABINGDON  
PLANNING COMMISSION  
REGULAR MEETING  
DECEMBER 16, 2009 - 5:30 P.M.  
(RESCHEDULED FROM DECEMBER 28, 2009)

The regular meeting of the Abingdon Planning Commission was held Wednesday, December 16, 2009, at 5:30 P.M. ( rescheduled from December 28, 2009). The meeting was held in the Municipal Building, Downstairs Meeting Room.

Mr. Matthew T. Bundy, Chairman, called the meeting to order.

ROLL CALL

Members Present: Mr. Matthew T. Bundy, Chairman  
Mr. Gregory W. Kelly  
Mr. Gary Kimbrell  
Mrs. Cathy C. Lowe  
Mr. Kenneth Shuman

Comprising a quorum of the Commission

Members Absent: Dr. H. Ramsey White, Jr., Vice -Chairman  
Ms. Francine Ivery

Administrative Staff: Mr. W. Garrett Jackson, Director of Planning/Zoning  
Mr. Sean C. Taylor, Assistant Director,  
Planning/Zoning  
Mrs. Deborah C. Icenhour, Town Attorney  
Mr. John Dew, Director of Public  
Services/Construction

Visitors Mr. James Stepp

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- (2) Approval of Minutes: Regular Meeting, October 26, 2009  
Reconvened Meeting, November 16, 2009

Mr. Shuman made a motion that the minutes of the regular meeting, October 26, 2009, and the reconvened meeting, November 16, 2009 be approved as submitted. Mr. Kimbrell seconded the motion, with unanimous approval.

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- (3) **CERTIFICATE OF APPROPRIATENESS - Edward Cozart, Owner, dba Dairy Queen, Jerry's Signs, Inc, Representative**, 798 West Main Street, Abingdon, Virginia; application for Certificate of Appropriateness for approval of replacement sign to be located at **798 West Main Street. Tax Map No. 7 (1) 21.**

This is a request for approval to install an electronic message board, replacing the existing manual lettering board currently installed.

Mr. Jackson and Mr. Shuman discussed the question of concerns arising from issues with the lighting currently extant at the Dairy Queen restaurant, in response to a number of complaints from private citizens along Colonial Road and the Abingdon Police Department. Mr. Jackson pointed out that some issues with the lighting have been addressed but that others still remained. Mrs. Lowe asked whether the existing issues were in breach of existing ordinances. Mr. Jackson replied in the affirmative, citing the “lighting” provisions of the ordinance controlling site plan review, specifically §18-5-4.

Mr. Kelly stated that surplus light and/or glare had been somewhat under control due to the adjusting of the light fixtures and the placement of trees; however, with the recent removal of certain trees, the issue would return and that the Town had suggested the planting of replacement trees. Mr. Kelly also stated that there had been some confusion with the operating hours of the restaurant due to a certain lack of timing in the lighting, which led to random attempts by would-be drive-thru customers to obtain service from a store that was in fact closed.

Mr. Shuman inquired whether the existing message board was lit; Mr. Jackson replied that it was. Mr. Stepp commented that the proposed installation was much smaller than the existing one, “losing quite a bit of square footage”.

Mr. Kelly stated that the Town had in its ordinance a mechanism to, if the sign presents a traffic hazard or problem, deal with the matter. He further stated his belief that if there was a problem with lighting on the site to begin with, then the site must be in compliance with the ordinance prior to the approval of any new light.

Mr. Shuman made a motion to approve the sign with the condition that the lighting be adjusted. Mr. Kimbrell seconded the motion. Prior to the vote on the motion, Mrs. Lowe inquired whether the process contemplated in §21-14-1(g) would be used. Mr. Kelly responded by saying that the process would only be used if the sign was seen to be a hazard or nuisance to either traffic or adjoining landowners, that it gives him the authority to shut the sign off. Mr. Jackson stated that if there were an amendment to the motion, it would be that all requirements of §21-14-1 be complied with. Mr. Shuman agreed, calling it a good idea.

VOTE:

Mrs. Lowe	Aye
Mr. Kimbrell	Aye
Mr. Bundy	Aye
Mr. Shuman	Aye
Mr. Kelly	Aye

The motion passed.

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(4) CONTINUED WORK SESSION – Capital Improvements Plan

Mr. Jackson indicated that the item had been placed on the agenda for additional discussion if needed. Mr. Kelly reiterated his hope that the Commission had been able to review the Capital Improvements Plan (CIP) and give their input and assign their priorities to the items contained within.

Mr. Shuman suggested that the building of the library should be recognized as being in the Town's Comprehensive Plan, coupled with the understanding that the Town not necessarily agree to fund it but rather the library's place in the Comprehensive Plan be noticed in the CIP. Mr. Shuman opined that he would be happy if this item were designated (3)(d).

Mrs. Lowe and Mr. Kelly discussed her desire for the planned Jackson Street modifications to be connected to the planned expansion of the sidewalk system. Mr. Kelly stated that he understood her position as requesting the connection of Jackson Street and down to proposed sidewalk, which would involve a sidewalk extension to that point. Mr. John B. Dew said the Oak Hill Street sidewalk extension would reach over Stonewall Heights and down to Hill Street; with that trail connecting to a trail adjoining a private residence and behind the tennis courts down to the library. Mr. Dew further stated that all of the mentioned elements were included in the current proposal. **Mrs. Lowe, in discussing the Court Street sidewalk extension, asked that a separate price be given from Crestview Drive to Clark Street.**

Mr. Shuman then inquired about the nature of various storm drainage improvements, given that he has noticed an increased flow of water in certain areas subsequent to the recent improvements made by the Town. Mr. Bundy stated that recent weather patterns and the elevated amounts of rainfall were likely responsible for the increased flow of water rather than any recent infrastructure modifications.

Mr. Kelly then relayed Ms. Ivery's concern that a connection from Leonard Street to Valley Street be made, with the objective of connecting the Taylor's Hill neighborhood to the downtown in a manner that was safe for pedestrians. Mr. Kelly then responded to a question by Mr. Jackson regarding the placement of a sidewalk by stating that the sidewalk would ideally be along the eastern shoulder of Russell Road. Mr. Shuman voiced his support for this improvement due to his observation of regular pedestrian traffic along the route in its unimproved state. Mr. Dew stated his opinion that the costs for such a project could be approximately \$20.00 per linear foot, adjusted for changes in grade and elevation. Mr. Shuman further stated that there should be an attempt to discuss economies of scale with Highlands Community Services in order to coordinate opportunities.

A consensus was developed around the Leonard Street connection being given 1(b) priority, thus leaving White's Mill Road as the highest priority from a safety standpoint. McBroom Street improvements would be designated 1(c). Mr. Kelly then stated his desire that the improvements to McBroom Street be completed, due to the long-standing nature of their need and new observations concerning water flow. He further remarked that safety was his primary consideration.

Mr. Bundy expressed his belief that the Cook Street and French Moore Boulevard improvements be listed as separate items for efficiency, and Mr. Kimbrell agreed. Mr. Shuman's request for clarification was answered by Mr. Bundy's preference that the French Moore Boulevard be given priority 2(a). Messrs. Bundy, Kimbrell, and Shuman, along with Mrs. Lowe, agreed that Cook Street could be given a lower priority and that Mr. Kelly's proposal to make Cook Street 2(b), with West Main Street storm drain improvements to be given 2(c) priority.

Mr. Kimbrell expressed his interest in wayfinding improvements receiving a much higher priority. Mr. Shuman suggested the wayfinding section be given a different classification in order to separate it from unrelated funding items that it is currently grouped with. Mr. Kelly and Mr. Shuman agreed. After some discussion, these items were redesignated as Number 5 "Signs and Signals", with wayfinding being given priority (a) and Empire Drive priority (b).

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There being no further business, Mrs. Shuman made a motion that the meeting be adjourned. Mr. Kimbrell seconded the motion, with unanimous approval.

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Matthew T. Bundy, Chairman

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Gregory W. Kelly, Secretary