

**TOWN OF ABINGDON  
PLANNING COMMISSION  
MONDAY, JUNE 1, 2020 – 5:30 PM (Actually began at 5:50, due to technical difficulty)  
COUNCIL CHAMBERS – MUNICIPAL BUILDING**

A meeting of the Abingdon Planning Commission was held on Monday, June 1, 2020, at 5:30 pm in the Arthur Campbell Meeting Room.

**A. Chairman Wayne Austin called the meeting to Order**

**B. Roll Call – Jason Boswell, Director of Planning**

**Members Present:**

<b>Mr. Kirk Sproles</b>	<b>Physically Present</b>
<b>Mr. James Anderson</b>	<b>Physically Present</b>
<b>Mr. Scott Wilson</b>	<b>Joined Electronically</b>
<b>Mr. Al Bradley</b>	<b>Joined Electronically</b>
<b>Mr. Kenny Shuman</b>	<b>Physically Present</b>
<b>Mr. Wayne Austin</b>	<b>Physically Present</b>

**Members Absent: None**

**Comprising a quorum of the Commission**

**Administrative Staff Present:**

Mr. Jason Boswell – Director of Planning  
Mr. Mason Gragg – Town Planner  
Mrs. Janice Dornon – Administrative Assistant

**Guests:**

**C. APPROVAL OF MINUTES**

Approval of Minutes: Regular Meeting, June 1, 2020

**On a motion by Mr. Shuman, seconded by Mr. Anderson, the Planning Commission approved the minutes as presented for the February 24, 2020 meeting.**

**The roll call vote was as follows:**

<b>Mr. Kirk Sproles</b>	<b>Aye</b>
<b>Mr. James Anderson</b>	<b>Aye</b>
<b>Mr. Scott Wilson</b>	<b>Aye</b>
<b>Mr. Al Bradley</b>	<b>Aye</b>
<b>Mr. Kenny Shuman</b>	<b>Aye</b>
<b>Mr. Wayne Austin</b>	<b>Aye</b>

The minutes for February 24, 2020, were approved as presented.

**D. PUBLIC COMMENTS -**

**1. Donnie Salyers –**

Mr. Salyers was concerned with the placement of accessory structures. He requested that the zoning ordinance be reviewed and updated for residential districts.

**2. Robert “Blake” Baker –**

Mr. Robert Blake Baker came before the board to discuss short-term rental issues on Tanner Street. Tanner Street is not currently zoned for short-term rentals.

Mr. Baker suggested that the verbiage be changed on short-term rentals to allow the Planning Commission to review each case individually.

Mr. Boswell stated that the property in question was issued a business license by mistake. The property was issued when the Homestay Ordinance was first adopted.

Mr. Anderson suggested that the board should allow or allocate the use of a short-term rental to Mr. Baker on Tanner Street.

Mr. Boswell responded that there are no special use permits that will allow Mr. Baker to use the property as a short-term rental property.

Mr. Boswell described the general vicinity of the business districts with streets and landmarks.

- The extent of Park Street (B1)
- The majority of Main Street (B2)
- West of Cummings Street on Main, excluding O&H, to Palmer Street (B3)

Mr. Austin asked Administration to review the issue and get back with the board at the next Planning Commission meeting on June 22, 2020.

## **E. PUBLIC HEARING**

**1. Proposed Text amendment to Article 8. OH Old and Historic District, Section 8-2-13 to add loft apartments in existing buildings or portions of the existing buildings as a permitted use by right.**

Mr. Austin opened the Public Hearing.

Mr. Austin closed the Public Hearing.

Mr. Boswell explained that the proposed permitted use for sub-district 13 would allow residential dwellings.

Mr. Bradley asked Mr. Boswell to explain where sub-district 13 is located. Mr. Boswell told the members that Depot Square, Wall Street, Remsburg Drive, Train Depot, and Nancy's Fancy are all located in sub-district 13.

**On motion of Mr. Bradley, seconded by Mr. Sproles, the Planning Commission approved Article 8. OH Old and Historic District, Section 8-2-13 to add loft apartments as a permitted use by right.**

**The roll call vote was as follows:**

<b>Mr. Kirk Sproles</b>	<b>Aye</b>
<b>Mr. James Anderson</b>	<b>Aye</b>
<b>Mr. Scott Wilson</b>	<b>Aye</b>
<b>Mr. Al Bradley</b>	<b>Aye</b>
<b>Mr. Kenny Shuman</b>	<b>Aye</b>
<b>Mr. Wayne Austin</b>	<b>Aye</b>

The Public Hearing was approved to amend Article 8. OH Old and Historic District, Section 8-2-13 to add loft apartments as a permitted use by right.

**2. Proposed Text amendment to Article 8. OH Old and Historic District, Section 8-2-4 to add restaurants to sub-district 4 as a permitted use by right.**

Mr. Austin opened the Public Hearing.

Mr. Austin closed the Public Hearing.

**On motion of Mr. Shuman, seconded by Mr. Bradley, the Planning Commission approved Article 8. OH Old and Historic District, Section 8-2-4 to add restaurants to sub-district 4 as a permitted use by right.**

**The roll call vote was as follows:**

<b>Mr. Kirk Sproles</b>	<b>Aye</b>
<b>Mr. James Anderson</b>	<b>Aye</b>
<b>Mr. Scott Wilson</b>	<b>Aye</b>
<b>Mr. Al Bradley</b>	<b>Aye</b>
<b>Mr. Kenny Shuman</b>	<b>Aye</b>
<b>Mr. Wayne Austin</b>	<b>Aye</b>

The Public Hearing was approved to amend Article 8. OH Old and Historic District, Section 8-2-4 to add restaurants to sub-district 4 as a permitted use by right.

**F. CERTIFICATE OF APPROPRIATENESS**

**1. Application for Certificate of Appropriateness; Thomas & Brenda Bundy, P.O. Box 423, Abingdon, VA 24212: Owner. COA for the demolition of the Southwest Tobacco Warehouse Lots 1 & 2. Located at 555 Russell Road, Abingdon, VA, Tax Map ID (104A-3-1)**

Ms. Brenda Bundy represented the property located at 555 Russell Road.

Mr. Boswell explained that the Bundy's want to re-develop the property by removing the existing structure to make the property more attractive for resale.

Mr. Boswell noted the Bundy's have complied with the staff's recommendations. Town staff would like to see the building removed from the site.

**On motion of Mr. Shuman, seconded by Mr. Anderson the Planning Commission members recommended that the COA be approved as presented.**

**The roll call vote was as follows:**

<b>Mr. Kirk Sproles</b>	<b>Aye</b>
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<b>Mr. James Anderson</b>	<b>Aye</b>
<b>Mr. Scott Wilson</b>	<b>Aye</b>
<b>Mr. Al Bradley</b>	<b>Aye</b>
<b>Mr. Kenny Shuman</b>	<b>Aye</b>
<b>Mr. Wayne Austin</b>	<b>Aye</b>

The COA was unanimously approved the COA for the property located at 555 Russell Road.

**2. Application for Certificate of Appropriateness; Michael & Lori Noonkestner, 1103 Empire Drive, SW, Abingdon, VA 24212: Owner.** The final plat, the total area of this subdivision is 3.28 acres subdivided into seven lots. **Located at 1103 Empire Drive, SW, Abingdon, VA, Tax Map ID (106-7-1A)**

Mr. Noonkestner represented the property located at 1103 Empire Drive.

Mr. Noonkestner appeared at a previous Planning Commission meeting with a preliminary plat for this property. After discussing the property, the Planning Commission asked that Mr. Noonkestner come back before the board with a plat that referenced the road maintenance agreement.

Mr. Noonkestner plans to build seven 1200 square feet single-family dwellings on the property.

Mr. Boswell told the members that Mr. Noonkestner's plans for the property are consistent with the Towns comprehensive plan.

**On motion of Mr. Sproles, seconded by Mr. Anderson the Planning Commission members recommended that the COA be approved as presented.**

**The roll call vote was as follows**

<b>Mr. Kirk Sproles</b>	<b>Aye</b>
<b>Mr. James Anderson</b>	<b>Aye</b>
<b>Mr. Scott Wilson</b>	<b>Aye</b>
<b>Mr. Al Bradley</b>	<b>Aye</b>
<b>Mr. Kenny Shuman</b>	<b>Aye</b>
<b>Mr. Wayne Austin</b>	<b>Aye</b>

The COA was unanimously approved for the property located at 1103 Empire Drive.

**3. Application for Certificate of Appropriateness; Marathon Realty Corp., P.O. Box 1158, Abingdon, VA 24212; Owner. Waffle House, Inc., P.O. Box 6450, Norcross, GA 30091, Butch Baur; representative. COA for approval of new construction of 1,790 sq. ft. single-story building, enclosed masonry dumpster, parking lot, retaining wall with a fence, and lighting. Located at Cook Street, Abingdon, VA, Tax Map ID (021-8-9-A)**

Mr. Butch Baur is the representative of Waffle House.

Mr. Boswell sited that a new 1790 square foot structure would be built on the property which would include an enclosed masonry dumpster, parking lot, retaining wall with a fence, and lighting.

Mr. Boswell clarified that the Town staff has reviewed the restrictive covenants of the parcel and that the Waffle House is in compliant with the covenant on the façade, parking lot, and parking requirements. The proposed signage meets the requirements of The Meadows restrictive covenants.

**On motion of Mr. Shuman, seconded by Mr. Anderson the Planning Commission members recommended that the COA be approved as presented.**

**The roll call vote was as follows:**

<b>Mr. Kirk Sproles</b>	<b>Aye</b>
<b>Mr. James Anderson</b>	<b>Aye</b>
<b>Mr. Scott Wilson</b>	<b>Aye</b>
<b>Mr. Al Bradley</b>	<b>Aye</b>
<b>Mr. Kenny Shuman</b>	<b>Aye</b>
<b>Mr. Wayne Austin</b>	<b>Aye</b>

The COA was unanimously approved for the Waffle House, Cook Street.

## **G. DISCUSSION**

### **1. Review and discuss the proposed amendment of Article 21. Signs**

Mr. Boswell noted that the Berkley Group has been hired to amend the Town's current sign ordinance. The proposed sign ordinance draft is consistent with the best practices across the Commonwealth.

Mr. Austin on behalf of the board recommended that the Town staff advertise as a public hearing for the new sign ordinances to be heard before the Town Council.

**On motion of Mr. Shuman, seconded by Mr. Anderson the Planning Commission members recommended that the new sign ordinance be advertised for a public hearing to be heard at the next Town Council meeting on June 15, 2020.**

**The roll call vote was as follows:**

<b>Mr. Kirk Sproles</b>	<b>Aye</b>
<b>Mr. James Anderson</b>	<b>Aye</b>
<b>Mr. Scott Wilson</b>	<b>Aye</b>
<b>Mr. Al Bradley</b>	<b>Aye</b>
<b>Mr. Kenny Shuman</b>	<b>Aye</b>
<b>Mr. Wayne Austin</b>	<b>Aye</b>

The COA was unanimously recommended that the new sign ordinance be advertised for a public hearing at the next Town Council meeting, June 15, 2020.

## **2. Abingdon Subdivision Ordinance Diagnostic Matrix**

Mr. Boswell told the members that as a part of the sign ordinance work by the Berkley Group that they included a subdivision and zoning ordinance update.

The Berkley Group went through all of the current ordinances and describe which ones complied and which ones did not comply with today's state codes. The group showed where we are compliant, they will study prime land use, analyze zoning requirements, suggest best practice recommendations, and details applicable to policy documents to include the comprehensive plan. They will develop and incorporate known strengths and weaknesses as provided by Town staff.

## **3. Abingdon Zoning Ordinance Diagnostic Matrix**

Mr. Boswell stated that the subdivision and zoning updates would begin with the new budget year on July 1, 2020.

**4. Discussion concerning short-term rentals in B-1, B-2 & B-3 Business Districts**

**H. UPDATES FROM STAFF AND PLANNING COMMISSION MEMBERS**

Mr. Boswell announced that Mr. Morani has removed himself from the Planning Commission board and recommended that Janice Dornon, who currently takes the board minutes be made the official secretary of the Planning Commission.

The board agreed without taking an action.

**I. ADJOURN**

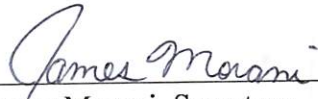
**On a motion by Mr. Sproles, seconded by Mr. Anderson, recommending that the meeting be adjourned with no further business to address.**

**The roll call vote was as follows:**

<b>Mr. Kirk Sproles</b>	<b>Aye</b>
<b>Mr. James Anderson</b>	<b>Aye</b>
<b>Mr. Scott Wilson</b>	<b>Aye</b>
<b>Mr. Al Bradley</b>	<b>Aye</b>
<b>Mr. Kenny Shuman</b>	<b>Aye</b>
<b>Mr. Wayne Austin</b>	<b>Aye</b>

**Adjourn Time: 6:45 P.M.**

  
Wayne Austin, Chairman

  
James Morani, Secretary

**The next regularly scheduled meeting will be June 22, 2020, at 5:30 pm in the Arthur Campbell Room, 1<sup>st</sup> floor of the Town Municipal Building.**