

**TOWN OF ABINGDON
PLANNING COMMISSION
MONDAY, JULY 25, 2022 4:30 PM
COUNCIL CHAMBERS, MUNICIPAL BUILDING**

A meeting of the Abingdon Planning Commission was held on Monday, July 25, 2022, at 4:30 PM in the Council Chambers of the Municipal Building.

- A. Kenny Shuman - Chairman called the meeting to Order**
- B. Roll Call – Mayana Rice, Community Development Director**

Members Present:

Mrs. Donna Quetsch	Present
Mr. Jeff Johnson	Present
Mr. Michael Weaver	Present
Mr. Chad Pennington	Present
Mr. Scott Wilson	Present
Mr. Kenny Shuman	Present

Members Absent: Mr. Kirk Sproles

Comprising a quorum of the Commission – Yes

Administrative Staff Present:

Mrs. Mayana Rice – Community Development Director
Mr. Gabe Cristofari – Planner/GIS

Guests: None

- C. APPROVAL OF MINUTES: REGULAR MEETING, MAY 23, 2022. (VIDEO 5:00 – 6:00)**

- June 27, 2022, Regular Meeting

On a motion by Mr. Wilson seconded by Mrs. Quetsch, the Planning Commission approved the Regular Meeting Minutes for June 27, 2022, as presented.

The roll call vote was as follows:

Mrs. Donna Quetsch	Aye
Mr. Jeff Johnson	Abstain
Mr. Michael Weaver	Aye
Mr. Chad Pennington	Aye
Mr. Scott Wilson	Aye
Mr. Kenny Shuman	Aye

D. PUBLIC COMMENTS: None

E. PUBLIC HEARING FOR SPECIAL USE PERMIT

1. *Special Use Permit; HGBG LLC, David Brown, 155 E. Valley Street, Abingdon, VA 24210; Owner. Matt Bundy, Bundy Architecture and Engineering, Inc.; Representative. Special use permit for conversion of 2nd floor space into multifamily. Located at 155 E. Valley Street, Abingdon, VA 24210. Tax Map (012-1-40). (VIDEO 6:14 - 16:10)*

A. Staff report

B. Applicant presentation

C. PC discussion and decision

Mr. Gabriel Cristofari gave the Staff Report

Mr. Cristofari explained David Brown of HGBG, LLC (Owners) and Matt Bundy (Representative) have requested approval of a Special Use Permit per Section 15-9 of the Town of Abingdon Zoning Ordinance to convert a portion of the 2nd floor (southern corner), to multifamily, located at 155 E. Valley Street, Abingdon VA (Parcel 012-1-40). The property is currently zoned Office & Institutional (OI).

The structure currently is utilized by a variety of businesses as office space. Their application states: Renovate 2nd floor into multifamily spaces, specifically the southern corner of the 2nd floor. The only change to the footprint of the building will be two elevated balconies located on the South facing elevation. The remaining sections of the structure will continue to be used as office space for businesses.

Access to the site will continue to be Food City Circle.

Adjoining properties are zoned Office & Institutional (OI), Residential (R-3), and Old & Historic (OH) to the west. A parcel adjacent to the Northwest corner of 155 E. Valley Street has its eastern half-zoned OI and its western half-zoned R-3. Primarily an OH parcel sits adjacent to the West of 155 E. Valley Street. The adjacent parcel to the North

and East is zoned Office & Institutional (OI), and the properties to the south are zoned Old & Historic (OH).

The parcel is relatively flat in this location with a general slope to the West. The parcel is located on a slight hill directly behind structures fronting East Valley Street.

7-3-1 of the zoning code states lots served by public water and sewer, the minimum lot area shall be:

(c) 10,000 square feet plus 2,500 square feet for each additional dwelling unit over two dwelling units for multiple-family dwellings. Multiple-family dwellings shall only be permitted in areas served by public water and sewer systems.

The parcel size can accommodate the request. Parcel is roughly 33,000 square feet.

7-7 of the zoning code states height regulations as follows:

Buildings may be erected up to 35 feet in height.

The only exterior aspects concerning the conversion of the South corner of the 2nd floor into a multifamily space, are two doors installed into the South facing elevation leading out to two newly constructed balconies for each apartment space. All other aspects of the project will be located in the interior of the structure, thus not altering area, setbacks, frontage, yard, or height regulations.

The applicant's written statement claiming how the conversion of a portion of the 2nd floor into multifamily space fits into Abingdon's Comprehensive Plan, and the proposed projects effect on the neighborhood is as follows:

Pursuant to the owners request, we have prepared preliminary plans for the conversion of a portion of the existing two story office building into multi-family residential consisting of two apartment units. Other portions of the building will remain in their current use as office space.

The current zoning for the property is Office/Institutional (OI) and the Town of Abingdon Zoning Ordinance lists multi-family housing as a Special Use in this zoning district. From the Comprehensive Plan dated 8/28/2020 the following community goals are stated:

From Community Goals (Abingdon in 2040)

"A Town of Complete Neighborhoods: Abingdon will have a thriving downtown and will be known for more than Main Street. We will have distinct neighborhoods with a mix of land uses, allowing people to learn, play, and work near their homes"

“A Connected, Walkable and Bikeable Small Town: Abingdon’s streets will be well-connected, well-served by public transit and safe and inviting for pedestrians and bicyclists of all ages, and everyone will have easy access to nature via an extensive trail network connected to the Creeper Trail”

The requested Special Use of multifamily provides mixed land use in this property by converting an existing partially vacant building into residential while the remaining building is office space. It is in a location that is walkable to town parks, businesses and amenities.

With respect to the impact on adjacent land uses, the proposed use of multifamily residential would reduce the potential traffic in the area from the existing use of business and would not create unusual noise, light, dust, odors or fumes. The adjacent uses are single family residential and office commercial and this small-scale multi-family change would not have a significant impact on these uses.

Staff suggested conditions of approval are as follows:

If the Planning Commission decides to approve the Special Use Permit request, staff suggests the following conditions of approval be attached in order to secure substantial protection for public health, safety, and general welfare:

1. Submittal of all applicable building permits to the Community Development Department to ensure compliance with the VA USBC for construction permitting.

Planning Commission asked if staff had received any responses from the adjacent property owners concerning the conversion of a portion of the 2nd floor into multifamily. Mr. Cristofari replied no, only certified mailer receipts stating they had received the notice.

On a motion by Mr. Wilson seconded by Mr. Pennington, the Planning Commission moved to approve the special use permit to convert the southern corner of the 2nd floor to multifamily use as presented, and meets the requirements of Section 19-9-6 of the Town of Abingdon’s Zoning Ordinance.

The roll call vote was as follows:

Mrs. Donna Quetsch	Aye
Mr. Jeff Johnson	Aye
Mr. Michael Weaver	Aye
Mr. Chad Pennington	Aye
Mr. Scott Wilson	Aye
Mr. Kenny Shuman	Aye

2. ***Special Use Permit; Debbie Evans, 327 Oakland Street, Abingdon, VA 24210; Owner. Debbi Evans. Special use permit to build house in flood zone. Located at the corner of Blacks Fort Lane and Court Street. Tax Map (013-7-1) (VIDEO 16:15 - 37:33)***

A. Staff report

B. Applicant presentation

C. PC discussion and decision

Mrs. Mayana Rice gave the Staff Report

Mrs. Rice explained Debbie Evans (Owner) has requested approval of a Special Use Permit per Section 15-9 of the Town of Abingdon Zoning Ordinance to a home in the AE Flood Hazard District, located at approximately Blacks Fort Lane and South Court Street, Abingdon VA (Parcel 013-7-1). The property is currently zoned Limited Business (B-1).

The site contains approximately 0.1 acres and is vacant. The applicant wants to build a new structure on the property and is required to submit a SUP for building on a parcel within the floodplain.

Access to the site will continue to be Park Street.

Adjoining properties are Limited Business (B-1) to the north and west. The adjacent parcel to this one is zone Limited Industrial (M-1) and the properties to the south are zoned Residential (R-3).

The parcel is relatively flat in this location with a general slope to the south.

Town Engineer, Tyler Vencill reviewed the information and made the determination that this does require a special use permit in order to redevelop this structure.

According to Town Code 15-9-3, site plans and permit applications. All applications for development within any floodplain district and all building permits issued for the floodplain shall incorporate the following information:

- (a) The elevation of the base flood at the site.*
- (b) The elevation of the lowest floor (including basement).*
- (c) For structures to be flood-proofed (non-residential only), the elevation to which the structure will be flood-proofed.*
- (d) Topographic information showing existing and proposed ground elevations.*

According to Town Code 15-9-4, the following uses shall be permissible in the floodway district provided that they are in compliance with the provisions of the

underlying district and provided that the development will not increase base flood elevations:

(d) Encroachments, including fill, new construction, substantial improvements and other developments are prohibited unless certification such as hydrologic and hydraulic analyses (with supporting technical data) is provided demonstrating that encroachments shall not result in any increase in flood levels during occurrence of the base flood.

The flood report submitted stated the drainage way impacted in Town Creek near mile 2.3 between tributary 1 and tributary 2 has a base flood elevation of 2,039, the base flood at the property in question is 2,038.6.

To limit the amount of impact on the base flood elevation, the structure will be constructed on posts with the main floor elevated a minimum of 2 feet above the base flood elevation.

In the study to determine how the proposed structure would affect the flood plain, the applicant indicated a 1 foot wide post spaced at 10 feet center to center with a total length of 50 feet was inputted into the model. A 4-foot stairway was also included in the model.

Town Engineer, Tyler Vencill reviewed the flood report along with the support of the building permit application, and determined enough information has been provided to allow the proposal to move forward.

Debbie Evans informed the Planning Commission her intention is to build a small 28 ft. x 32 ft., 1 bed/1 bath structure.

Mr. Wilson stated FEMA as a 0.00 increase regulation concerning a regulatory floodway. The study shows a minimal increase lower than 1 foot. FEMA leaves the decision of allowing a minimal increase to the flood plain to the local building official.

Planning Commission stated the applicant should look into the ability to get flood insurance for the building.

Clarification was provided concerning the block foundation shown in the drawing submitted. No block foundation will be used, the structure will be constructed on posts allowing water in the case of a flood to flow freely under.

On a motion by Mr. Johnson seconded by Mr. Weaver, the Planning Commission approved the Certificate of Appropriateness as presented subject to all appropriate building submittals to the building official relative to the flood plain.

The roll call vote was as follows:

Mrs. Donna Quetsch	Aye
Mr. Jeff Johnson	Aye
Mr. Michael Weaver	Aye
Mr. Chad Pennington	Aye
Mr. Scott Wilson	Nay
Mr. Kenny Shuman	Aye

F. ZONING CODE SIGN RESOLUTION (VIDEO 39:40 – 44:43)

Mrs. Rice stated she was not expecting a vote tonight, but rather to use this opportunity to update the Planning Commission on the process of opening up the sign code.

Initially the subject of billboards brought before the Planning Commission by the Lamar Sign Company kick started the discussion on whether billboards were wanted. Planning Commission said no to billboards at a previous meeting. Lamar Sign Company has appealed the decision where it will go before Town Council.

Before moving forward on a vote to adopt the new sign code as presented to the Planning Commission, a final decision by the Town Council concerning the allowance of billboards in town must be reached.

Edits will be made to the initial draft based on comments received during the June 27, 2022 Planning Commission Meeting. Additional comments or edits are welcome throughout the process before adaptation.

G. OLD BUSINESS/MATTERS NOT ON THE AGENDA

H. ANNOUNCEMENTS

I. ADJOURNMENT

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

The roll call vote was as follows:

Mrs. Donna Quetsch	Aye
Mr. Jeff Johnson	Aye
Mr. Michael Weaver	Aye
Mr. Chad Pennington	Aye

Mr. Scott Wilson
Mr. Kenny Shuman

Aye
Aye

Adjourn Time 5:43 P.M.

Kenny Shuman, Chairman

Mayana Rice, Director of Community
Development

J. BREAK

K. RECONVENE AT 6:00 PM FOR PUBLIC OPEN HOUSE ZONING ORDINANCE

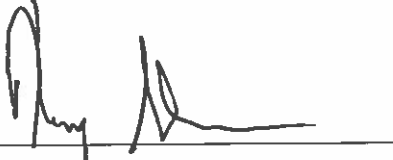
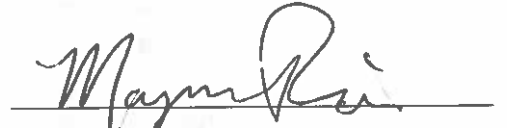
No action will be taken by the Planning Commission, however a quorum of the body may be in attendance.

The next regularly scheduled meeting will be on August 22, 2022, at 5:30 pm in the Council Chambers, 2nd floor of the Town Municipal Building.

Mr. Scott Wilson
Mr. Kenny Shuman

Aye
Aye

Adjourn Time 5:43 P.M.


Kenny Shuman, Chairman
Mayana Rice, Director of Community
Development

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