

**TOWN OF ABINGDON
PLANNING COMMISSION
MONDAY, SEPTEMBER 26, 2022 5:30 PM
COUNCIL CHAMBERS, MUNICIPAL BUILDING**

A meeting of the Abingdon Planning Commission was held on Monday, September 26, 2022, at 5:30 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. Kirk Sproles	Present
Mr. Kenny Shuman	Present

**Members Absent: Mr. Chad Pennington
Mr. Scott Wilson**

Comprising a quorum of the Commission – Yes

Administrative Staff Present:

Mrs. Mayana Rice – Community Development Director
Mr. Gabe Cristofari – Planner/GIS
Mr. Nick Howard – Planning Tech

Guests: None

- C. APPROVAL OF MINUTES: REGULAR MEETING, AUGUST 22, 2022. (VIDEO 7:18 – 7:52)**

- August 22, 2022, Regular Meeting

On a motion by Mr. Johnson seconded by Mrs. Quetsch, the Planning Commission approved the Regular Meeting Minutes for August 22, 2022, as presented.

The roll call vote was as follows:

Mrs. Donna Quetsch	Aye
Mr. Jeff Johnson	Aye
Mr. Michael Weaver	Aye
Mr. Kirk Sproles	Aye
Mr. Kenny Shuman	Aye

D. PUBLIC COMMENTS: None

E. CERTIFICATE OF APPROPRIATENESS

1. *Certificate of Appropriateness; Doug's Super Car Wash, Turnhart Acquisition Corporation, 2506 South Front Street, Richlands, VA 24641. Owner. Jeremy Fields, Appalachia Design Services; Representative. COA. Located at 140 Cook Street, Abingdon, VA 24210. Tax Map ID (021-8-9A) (VIDEO 8:00 - 30:50)*

A. Staff report

B. Applicant presentation

C. PC discussion and decision

Mrs. Mayana Rice gave the Staff Report

Turnhart Acquisition Corporation (Owners) and Jeremy Fields with Appalachia Design Services (Representative) requested approval of a Certificate of Appropriateness for a new commercial carwash (Doug's Super Carwash), located at 140 Cook Street, Abingdon VA (Parcel 021-8-9A).

- **February 2022** The project received original approval on February 28, 2022 with a brick façade and red trim.
- **May 2022** The project was submitted with an amendment to the approved COA to paint the brick façade a Classic Red color and to allow for a brick cement board panel versus real brick. This was determined to not be appropriate by the Planning Commission on May 23, 2022. The applicant indicated they would be amenable to the real brick façade and that they'd like to return to the Planning Commission with an alternative red color that would be more muted and request to paint the entirety of the structure.
- **June 2022** The project was submitted with a request for a new red (2000-10) to paint the brick façade. The Planning Commission indicated they were not in favor of this and voted to not amend the current COA on June 27, 2022.
- **August 2022** The applicant appealed the Planning Commission decision to the Town Council. The Town Council upheld the Planning Commission's decision on August 8, 2022.

The applicant has submitted an alternative request to amend the original COA approval.

- Paint the brick Sherwin Williams “Real Red” (SW 6868)
- Change metal panels at the top from originally approved red color to silver
- Replace brick above top of window elevation on 2nd floor to red metal panel

The applicant has indicated by providing minutes and information that the Planning Commission can make an alternative decision to their previous decision and approve the amendments to the COA.

When the Meadows Development went through the original review process the project was part of a public private partnership. This allowed for certain aspects of development to be paid for with tax dollars (infrastructure) in exchange for other aspects of the site to be provided for public investment (land for the sports complex).

Within this partnership an agreement was formed that indicated that that the overall development would follow a process called the Certificate of Appropriateness.

Meadows Development Restrictive Covenants:

*6.3 Certificate of Appropriateness. Before physical development of each Tract, the Owner of said Tract shall apply for and **receive a Certificate of Appropriateness (“COA”)** from the Town of Abingdon Planning Commission and/or the Town of Abingdon Town Council.*

Within the Town of Abingdon’s Zoning Ordinance there is one definition of a Certificate of Appropriateness: *Refers to a permit issued by a board created by the Town pursuant to Code of Virginia § 15.2-2306 to administer the provisions of the Town's historic architectural design control, **or entrance corridor overlay district regulations.***

The Entrance Corridor Guidelines:

The commission shall consider the following matters in passing on the appropriateness of a particular project:

(a) Landscaping.

(1) *Landscaping shall be used to soften the visual impact of development and enhance the appearance of the area.*

(2) *Landscaping shall be sufficient to soften the visual effects of parking lots, reduce the effective visual mass of large buildings, and provide screening between the development, the street and surrounding lots.*

(3) *Landscape buffers, shall be provided adjacent to public streets of sufficient size to permit street trees and plantings to be installed to reduce the visibility into parking lots.*

(4) *Landscaping shall be compatible with landscaping on adjacent properties.*

(5) Landscaping shall be of a high quality and designed in a professional manner.

The applicants provided a landscape plan that was approved on February 28, 2022.

(b) Signage. In addition to the limitations on the numbers and sizes of signs imposed under Article 21 of this ordinance are the following:

(1) Each parcel shall have an overall sign plan which reflects a consistent style and specifies the size(s), and color scheme for proposed signage.

(2) Materials used in signs and their support structures should reflect the building served by the sign.

(3) Sign colors should be harmonious with the building which they serve.

The applicants have NOT provided a signage plan and indicated they would return for a future COA.

(c) Architecture and general building characteristics. The following recommendations are provided for architectural styles and general building characteristics:

(1) Materials, colors and general style of buildings within a development should be coordinated.

(2) Heating and air conditioning units, ventilation units, and mechanical equipment shall be screened from view from public streets.

(3) Loading docks, trash containers, mechanical equipment and any sites for storage facilities shall be screened from view from public streets.

(4) The effective visual mass of large buildings should be reduced by variations in roof line, building angles, dimension, relief, color, architectural detailing and landscaping.

The applicants provided an architectural plan that was approved on February 28, 2022.

(d) Design review guidelines.

(1) New buildings or exterior alterations to existing structures should include one or a combination of the following materials/methods of construction:

(2) *Wood frame, (or fiber cement board), with brick, stone, or concrete foundations; brick construction or brick facing; finished concrete block; roof materials of standing seam metal, asphalt shingle, and rubber membrane/parapet for flat roof forms.*

(3) *Windows should be used to provide interest and surface variations on building elevations. Blank building walls are discouraged for most commercial applications.*

(4) *The design of gas station canopies, building canopies and other accessory structures should be compatible with the scale, color, materials, and detail of the buildings they serve.*

(5) *Site walls and retaining walls should be comprised of brick, or concrete; brick facing on a concrete or concrete masonry unit wall. The use of segmental/modular concrete block is discouraged. Site walls should be considered as part of site terracing in increments; site walls out of proportion with building foundations or the human figure are discouraged.*

(6) *Roof forms may be single gable, cross gable, gambrel, hip, parapet, or flat forms. Mansard roof forms are not recommended on modern-styled buildings.*

(7) *Site materials shall be limited to local stone, asphalt, concrete, and exposed aggregate concrete.*

(8) *Facade colors preferably shall be of low reflectance white, earth tone, muted, subtle, or neutral colors. Building trim may feature brighter colors as an accent material. The use of high-intensity, metallic, fluorescent, day glow, or neon colors are discouraged.*

(9) *Trademark buildings and related features including signs shall be modified to meet these design standards.*

The applicants provided a design that was approved on February 28, 2022. The amendments to the original approval were deemed to not meet the standards of d.7, d.8 and d.9 at the previous meetings in May, June and August. The applicant's new design needs to be reviewed for compliance with the preferred design review guidelines. The design review guidelines allow the Planning Commission to consider the project for appropriateness with the above standards.

(e) *Site planning. In addition to the requirements of Section 18-2 et seq., the following standards are required in the entrance corridor overlay district:*

- (1)** *Parking lot layouts shall respond to the topographic characteristics of the site.*
- (2)** *The number of access points to parking lots from a street will be minimized and shall relate to other existing curb cuts whenever possible.*
- (3)** *Parking lots will be interconnected on adjacent parcels whenever possible.*
- (4)** *Small, landscaped and interconnected parking lots, rather than large, central parking lots shall be encouraged.*
- (5)** *Parking lots shall not dominate the image of a site.*
- (6)** *Where sidewalks exist adjacent to individual project sites pedestrian access from the sidewalk into individual project sites as well as within sites and between sites shall be provided.*
- (7)** *The Planning Commission is permitted to reduce the parking space requirement when the interests of the Town are better served.*

The applicants provided a site plan that was approved on February 28, 2022.

(f) *Lighting.*

- (1)** *Lighting should be in keeping with the design of the complex.*
- (2)** *Lighting should be of uniform style for each project site.*
- (3)** *Lighting should be contained within the site and designed to limit spillover to streets and adjacent properties and to minimize the amount of light that is directed to the sky.*
- (4)** *Light poles shall not exceed 24 feet in height.*

The applicants provided a lighting that was approved on February 28, 2022.

Meadows Development Restrictive Covenants

6.2 Minimum Design Requirements.

A minimum of fifty percent (50%) of 1st floor front and side exterior building elevations, excluding glass, that are visible from the public right of way shall be comprised from the following materials: natural clay brick; and /or natural quarried stone products.

Secondary façade materials, which may be used up to forty percent (40%) on exterior building walls include: hard coat stucco, concrete materials (not limited to architectural split face block, tilt up concrete, or precast concrete); synthetic stucco (EIFS); fiber cement siding; and/or other materials as approved by the Abingdon, VA Planning Department, or their designee.

Painted smooth faced concrete block, wood, architectural metal, and/or other materials differing from those used as primary and secondary materials may be utilized, in an amount not to exceed ten percent (10%).

The applicants are meeting the standards of the Meadows Development Restrictive Covenants.

Town attorney Cam Bell addressed the board to begin the Planning Commission meeting.

Mr. Bell stated that the board may be legally bound to not make a decision today, due to the appeal process that is currently ongoing within the court system.

Mr. Bell encourages the board to hear what the representative has to say, but keep in mind that a decision may not be legally possible.

Applicant Representative addresses the board and states that the building requires a thinner façade which is why the composite brick panel was submitted previously.

Mr. Johnson believes based on Mr. Bell’s statements at the beginning of the meeting, he believes that the board should not act and motions to table the discussion until the next regular scheduled Planning Commission Meeting.

On a motion by Mr. Johnson seconded by Mrs. Quetsch, the Planning Commission voted unanimously to table the action pending further clarification from the pending lawsuit and or take the matter up next meeting should the 60-day time period prove an obstacle.

The roll call vote was as follows:

Mrs. Donna Quetsch	Aye
Mr. Jeff Johnson	Aye
Mr. Michael Weaver	Aye
Mr. Kirk Sproles	Aye
Mr. Kenny Shuman	Aye

G. OLD BUSINESS/MATTERS NOT ON THE AGENDA (VIDEO 30:58 - 31:20)

- **COA Waiver, Leticia Peltzer, 418 East Main Street**

H. ANNOUNCEMENTS

I. ADJOURNMENT

The roll call vote was as follows:

Mrs. Donna Quetsch	Aye
Mr. Jeff Johnson	Aye
Mr. Michael Weaver	Aye
Mr. Kirk Sproles	Aye
Mr. Kenny Shuman	Aye

Adjourn Time 6:02 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.

Zoning ordinance discussion begins with the idea of creating two new zoning districts, R-5 and R-6. These districts would be higher in density and provide the board with a great amount of control over their districts. These new districts would also protect existing neighborhoods within the town of Abingdon.

Mr. Jeff Johnson addresses his concerns. He states his goal is to maintain flexibility for the board. Rezoning sometimes can mean tax increases. He states that having the option to change districts and have your property subjected to a different set of rules than your neighbors could cause problems.

Mr. Shuman states that Mr. Johnson's concerns are possible now even without the new created districts.

Mr. Johnson states that rezoning an area would need to be cohesive with the surrounding area.

He states that his only concern is the board getting caught in the catch 22 of approving one thing but not approving the other.

Mr. Shuman believes the board will always have that catch 22 regardless.

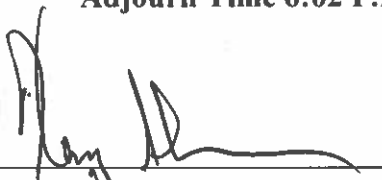
Mrs. Rice asks the board if they agree with the plans to introduce two new zoning districts or if they would rather have one or no new districts.

The board agreed to introduce one new R-5 district, instead of two.

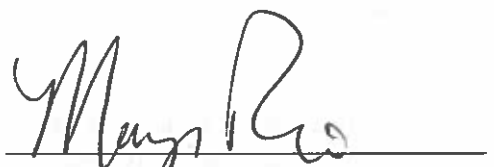
The roll call vote was as follows:

Mrs. Donna Quetsch	Aye
Mr. Jeff Johnson	Aye
Mr. Michael Weaver	Aye
Mr. Kirk Sproles	Aye
Mr. Kenny Shuman	Aye

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Kenny Shuman, Chairman



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Breweries, distilleries, or wineries will not be permitted in the OH district. No special use permit will be issued.

Solar language is in the process of being added to code. Will depend upon a special use permit. Solar residents would still be subject to OH guidelines.

Section 7-2-3: New language allows without a permit domestic farm animals as an allowed accessory to a residential use.

Mr. Johnson believes that the cottage development introduced by Mr. Nathan Berg at previous PC meetings is a scaled down version of a PUD. He believes the project could be tasteful and complimentary to the town if placed on a few specific tracts of land in the right zoning districts in town. He believes giving cottage developments freedom to develop any zoning district would change the character of Abingdon drastically. Mr. Shuman suggests Mr. Johnson and Mr. Berg get together and iron out some of the difficult discussions regarding the cottage housing development, and the board reconvene with the discussion in the coming weeks.

Article VII Use Performance Standards: Remove “No signage shall be allowed in conjunction...”

Section 8-1-2: Remove “lighting for single family and two family residential areas”

Section 8-3-6: Businesses can now provide alternate parking plans to the Planning Commission. This is meant to provide flexibility for both parties.

Section 10-7-1: Mr. Shuman comments “all proposed major subdivisions involving more than 50 lots shall submit a prelim plat for approval.” Add a reference to the comprehensive plan.

Article 3-6-1: Add “HPRB is bound by all other aspects of this ordinance unless specifically exempted therefrom”

The next regularly scheduled meeting will be on October 24, 2022, at 5:30 pm in the Council Chambers, 2nd floor of the Town Municipal Building.