

### TOWN OF ABINGDON, VIRGINIA TOWN COUNCIL MEETING MONDAY, JANUARY 8, 2024 – 6:30 pm TOWN HALL – COUNCIL CHAMBERS

### DRAFT AGENDA

Please note there will be an opportunity during the meeting for citizens to address the Town Council when the Mayor declares public comments open. We request that anyone addressing the Council sign up, approach the podium when called, state your first and last name, and provide your complete mailing address.

- **A. WELCOME** *Mayor Pillion*
- B. ROLL CALL Kim Kingsley, Clerk
- C. PLEDGE OF ALLEGIANCE Councilmember Wayne Austin
- **D. PRAYER** Associate Pastor Barbara Farmer, Pleasant View United Methodist Church
- E. APPROVAL OF AGENDA Mayor Pillion
- F. APPROVAL OF MINUTES
  - December 4, 2023
- **G. PUBLIC COMMENTS** Please place your name on the sign-up sheet provided; comments are limited to three (3) minutes per person.
  - Town of Abingdon residents
  - Other public comments (e.g. property owners, organizations)

### H. PROCLAMATIONS

- **I. PUBLIC HEARING** Please place your name on the sign-up sheet provided; comments are limited to five (5) minutes per person.
  - 1. Proposed amendment includes additions to revenue from grants, interest on ARPA funds, and an insurance claim. The total general fund budget amendment will increase the budgeted expenditures and offsetting revenues by \$1,050,849.43.

### J. RESOLUTIONS

1. Resolution approving proposed comprehensive sign at property located at 370 E. Main Street Abingdon, VA, Tax Map 013-1-82 advertising the entryway to the shared parking area of Sweet Bay Brewing Company, a bike shop, an adventure retail store, and The Girl & The Raven. – *Mayana Rice, Asst. Town Manager and Director of Community Development* 

### K. FIRST READING OF ORDINANCES

- 1. Proposed amendment includes additions to revenue from grants, interest on ARPA funds, and an insurance claim. The total general fund budget amendment will increase the budgeted expenditures and offsetting revenues by \$1,050,849.43.
- L. SECOND READING OF ORDINANCES
- M. CONSIDERATION OF BIDS
- N. NEW BUSINESS

- O. OLD BUSINESS
- P. MISCELLANEOUS BUSINESS AND COMMUNICATIONS FROM TOWN MANAGER
- Q. COUNCIL MEMBER REPORTS
- R. APPOINTMENTS TO BOARDS AND COMMITTEES
  - 1. Abingdon Redevelopment and Housing Authority
    - Appointment to fill vacancy for Mike Rush, who is ineligible to serve an additional term
  - 2. Board of Zoning Appeals
    - -Appointment to fill vacancy of Richard Macbeth, who is ineligible to serve an additional term
  - 3. Tree Commission
    - -Reappointment of Stuart Hale, who is eligible to serve an additional term
  - 4. District Three Governmental Cooperative
    - -Reappointment of Vice Mayor Anderson, who is eligible to serve an additional term

If Council so desires, Closed Session pursuant to the Code of Virginia, 1950, as amended, Section 2.2-3711(A)(1) for the purpose of considering applications for appointment/reappointment for position(s) on Abingdon Redevelopment and Housing Authority, Board of Zoning Appeals, Tree Commission, and District Three Governmental Cooperative.

- S. CLOSED SESSION
- T. ADJOURNMENT

## TOWN OF ABINGDON COUNCIL MEETING MONDAY, DECEMBER 4, 2023 – 6:30 pm COUNCIL CHAMBERS – MUNICIPAL BUILDING

The meeting of the Abingdon Town Council was held on Monday, December 4, 2023, at 6:30 pm in the Council Chambers of the Municipal Building.

- **A. WELCOME** *Mayor Pillion*
- B. ROLL CALL

Members of Council Present: Wayne Austin

Donna Quetsch Derek Webb

Vice Mayor Anderson

**Mayor Pillion** 

- C. PLEDGE OF ALLEGIANCE
- D. PRAYER
- E. APPROVAL OF AGENDA (VIDEO 5:51 6:39)

On motion of Mr. Webb, seconded by Vice Mayor Anderson, moved Item M-2, Engineering update regarding flooding on Preston St SW and Hagy St SW by Matthew Lane, The Lane Group, Town of Abingdon Contract Engineer immediately after Item G and approved the agenda as amended.

The roll call vote was as follows:

Mr. Austin	Aye
Mrs. Quetsch	Aye
Mr. Webb	Aye
Vice Mayor Anderson	Aye
<b>Mayor Pillion</b>	Aye

### F. APPROVAL OF THE MINUTES (VIDEO 6:39 – 7:10)

• November 13, 2023

On motion of Mr. Austin, seconded by Mr. Webb, approved the November 13, 2023 minutes as presented.

The roll call vote was as follows:

Mr. Austin Aye
Mrs. Quetsch Aye
Mr. Webb Aye
Vice Mayor Anderson Aye
Mayor Pillion Aye

### **G. PUBLIC COMMENTS (VIDEO 7:11 – 11:47)**

- Eddie Copenhaver
- Greg Lilly on behalf of the Abingdon Arts Commission

### H. PROCLAMATIONS

- I. PUBLIC HEARING
- J. RESOLUTIONS Applicant requested item be postponed.
  - 1. Resolution approving proposed comprehensive sign at property located at 370 E. Main Street Abingdon, VA, Tax Map 013-1-82 advertising the entryway to the shared parking area of Sweet Bay Brewing Company, a bike shop, an adventure retail store, and The Girl & The Raven.
- K. FIRST READING OF ORDINANCES
- L. SECOND READING OF ORDINANCES
- M. CONSIDERATION OF BIDS
- N. NEW BUSINESS

Presentation of 2022/2023 Financial Audit for the Town of Abingdon – *Jordan Owens, Brown, Edwards & Company* (VIDEO 25:52 – 40:51)

Jordan Owens presented the Council with the 2022/2023 independent auditor's report, including as of June 30, 2023, the Statement of Net Position, Balance Sheet – Governmental Funds, Statement of Revenues, Expenditures, and changes in the Fund Balance – Budget and Actual – General Fund. Mr. Brown stated that it was a good audit and a clean report.

2. Engineering update regarding flooding on Preston St SW and Hagy St SW - Matthew Lane, The Lane Group, Town of Abingdon Contract Engineer (VIDEO 12:00 - 25:36)

Matthew Lane presented the Council with information regarding two residential homes located along Hagy Street that reported issues with stormwater inundating lawns during significant rainfall events. Mr. Lane described the area that contributes to the runoff and offered recommendations for reducing the impact of the stormwater, including roof gutters should be connected to a drainage pipe that diverts the stormwater away from the homes and a four-inch asphalt berm constructed from the Country Boy Seed entrance, along Hagy Street, to the parking area for Eades Auto Repair, which connects to a drainage swale. He stated that written permission should be obtained from Country Boy Seed and Eades Auto Repair as some of the asphalt curb may require construction outside the Town's right-of-way.

Mr. Webb asked what percentage of the issue results from runoff from the roofs. Mr. Lane stated he would guess 50-60% because the water from the roof goes directly into the yard so the yards are saturated when the runoff water gets down Hagy Street to the subject property.

Town Manager Mike Cochran asked Mr. Lane if he did hydrology as a good part of his engineering practice. Mr. Lane stated that he was an experienced consultant engineer to municipalities throughout the Southwest Virginia area.

Mr. Webb questioned whether the town staff could complete or if something needed to farm out to a specialty group. Mr. Cochran stated the Town staff could do the asphalt; however, rights-of-way may be required from property owners. The asphalt would be constructed in front of the homes from the entrance to Country Boy Seed to the entrance of Eades Auto Repair.

Mayor Pillion questioned if that would divert the water onto Hagy Street so it could continue running further down Hagy Street and keep it out of their yards. Mr. Lane affirmed. Mayor Pillion asked if it was cost effective thing that wouldn't alter their yards to a large degree. Mr. Lane said the asphalt curb would be placed on top of the street.

Mrs. Quetsch questioned if the runoff was strictly up to the property owners. Mr. Lane responded yes.

Counsel Cameron Bell asked for clarification that the runoff other than what is on the roof comes from other private property; Hagy Street has been there for 100 years longer, and that's not the Urban Pathway that caused it. It's coming off the hill from private property on Colonial Road and reaching Hagy Street, but Hagy Street isn't causing the flooding. Mr. Lane responded that Hagy Street was the conduit that carried the water and referred to his exhibit.

Mrs. Quetsch commented that a property owner told her it wasn't a problem until the Town did something, questioning Mr. Lane whether the Town did not have anything to do with this situation. Mr. Lane stated that he has seen no indication of anything that the Town has done to either cause or worsen this situation.

### O. OLD BUSINESS

### P. MISCELLANEOUS BUSINESS AND COMMUNICATIONS FROM TOWN MANAGER

1. Consideration of funding for William King Museum of Art – *Mike Cochran, Town Manager* (VIDEO 41:00 – 43:57)

Mr. Cochran requested that the Council consider funding the William King Museum of Art \$100,000 to fund operations as he believes the Museum is an anchor in the Town.

Mr. Austin said he spoke with several board members, that the Museum contributes to the Town's tourism and is a great asset, and that the Council should fund their request.

On motion of Mr. Webb, seconded by Mr. Austin, approved funding \$100,000 to the William King Museum of Art from the General Fund reserve.

The roll call vote was as follows:

Mr. Austin	Aye
Mrs. Quetsch	Aye
Mr. Webb	Aye
Vice Mayor Anderson	Aye
Mayor Pillion	Aye

2. Consideration of dates for Council meetings and retreat for 2024– *Mike Cochran, Town Manager* (VIDEO 43:58 – 50:25)

Mayor Pillion stated that she was unaware of any items for the tentative meeting on December 20, 2023, and requested that the meeting be canceled.

Dates were scheduled for the January – June 2024 Council meetings and retreat.

3. Discussion regarding correcting the Ordinance establishing the Abingdon Arts Commission, specifically, "WHEREAS, the Abingdon Arts Commission shall consist of one *ex officio* Councilmember appointed by the Town Council to serve terms coincident with their terms as members of the Council. The Town Manager will name a Town employee designee as an *ex officio* member to serve as staff support for the Commission. Town Council will appoint five citizens to serve two-year consecutive terms, beginning July 1 of the year of appointment."-*Mike Cochran, Town Manager* (VIDEO 50:25 – 55:31)

Mayor Pillion stated that the Ordinance doesn't need to be changed. Instead, it says that the members are going to serve two-year terms.

Counsel Bell stated when the Commission was formed to have staggered terms so members would not go off at the same time, the initial group of I believe three can serve where it says two-year terms at the beginning but underneath that in the Ordinance it says but the initial appointment of the first group will be for one year from June to June. Then, after that, they will be appointed again. So, I think there's some confusion about how that worked but that's what the Ordinance says. Mr. Bell did not think the Ordinance needed to be changed, but he felt that group hadn't been appointed correctly. Mr. Bell stated that the remedy would be to appoint that group of three from June 30, 2023, to June 30, 2025.

Mayor Pillion indicated they were appointed in the Commission meeting. Still, they need to be officially appointed by the Council for their two-year term so their first term was one year, and this will be their second term, which is two years, so that it could be staggered so everybody didn't roll off and on at the same time.

Mr. Austin questioned the intent for them to be able to serve four years, two consecutive. Counsel Bell stated that where the sort of confusion comes in, the general sort of like being the organizers of a corporation, there's a bit different of who the organizers were, so I think those initial organizers' first term was only one year, but that was to do the different term. He stated that the remedy to that could be when those people come up in 2025, we could weigh that, or the Council could take some other action to give them an extra year at that point but to stay in line with the Ordinance. I think the how we stay in line with how the Ordinance is without amending the Ordinance and going back in time is to appoint them for two years and then in 2025 we can decide whether they want to serve again or not. I guess depending on how you view the intent they have another year available to them generally.

Mr. Austin questioned whether, ultimately, it is our intent to have them be able to serve four years, two two-year terms.

Counsel Bell stated that it works for the second group to avoid staggering. He thinks after this first group of three gets through everybody from now on will have two two-year terms, but just because that initial group had only one year to create the stagger then and they had a one-year term the first term but that's specifically stated in the Ordinance.

Mayor Pillion stated we didn't want everybody to roll off at the same time. Mr. Austin stated he understood. Counsel Bell stated that the group and I don't have that part of the Ordinance on the screen, but it says they'll be appointed from their term will end June 1, 2023, and then so their initial term was from 2022 to 2023, and then they'll be appointed for a two-year term.

Mr. Austin asked Mr. Lilly if he understood what we were talking about. Mr. Greg Lilly said yes, it is okay, and this happened at the same time as the Veterans Advisory Board, and they are set up the exact same.

On motion by Mr. Webb, seconded by Vice Mayor Anderson appointed Dirk Moore, Ben Jennings, and Matthew Frederick to serve from June 30, 2023, to June 30, 2025 on the Abingdon Arts Commission.

The roll call vote was as follows:

Mr. Austin Aye
Mrs. Quetsch Aye
Mr. Webb Aye
Vice Mayor Anderson Aye
Mayor Pillion Aye

### 4. Consideration of year-end bonus for Town employees – *Mike Cochran, Town Manager* (VIDEO 55:32 – 58:58)

Town Manager Mike Cochran said the Town had an excellent year as presented by the auditors and he requested the Council consider a budget performance bonus in January as the staff does an exceptional job. He suggested \$1,000 for full-time employees and \$250 for part-time employees who work more than 15 hours per week from the General Fund reserve. Mr. Cochran stated that this is different from the Christmas bonus which is determined by longevity and annually budgeted. Mr. Webb said he appreciated what the staff did, and this is a small token of their appreciation. He is very grateful to have the staff, and this is one small way to show a grateful attitude and demeanor.

On motion by Vice Mayor Anderson, seconded by Mr. Webb, approved the job performance bonus of \$1,000 for full-time employees and \$250 for part-time employees who work more than 15 hours per week to be paid from the General Fund reserve.

The roll call vote was as follows:

Mr. Austin	Aye
Mrs. Quetsch	Aye
Mr. Webb	Aye
Vice Mayor Anderson	Aye
<b>Mayor Pillion</b>	Aye

### Q. COUNCIL MEMBER REPORTS (VIDEO 58:59 – 1:04:56)

Mrs. Quetsch wished everyone a Merry Christmas and a Happy New Year. She also thanked Abingdon Fire Department Chief Estes for the Christmas celebration dinner.

Vice Mayor Anderson wished everyone a Merry Christmas and a Happy New Year and thanked everyone involved in the Kiwanis Christmas parade.

Mr. Austin thanked the Kiwanis Club for a well-organized and fun event, and he attended the November 27<sup>th</sup> Planning Commission meeting and thanked the members of committees for their service. He also announced the Sinking Spring Cemetery Committee would meet on December 7<sup>th</sup> at 5:30 pm.

Mayor Pillion thanked Abingdon Fire Department Chief Tim Estes for driving the Council in the parade and thanked the Kiwanis Club and the staff. She also communicated that items collected and the Food City gift cards after the Day of Service were distributed to the Abingdon Police Department to distribute and purchase food items for people experience homelessness in the Town, with extra toothbrushes being distributed among the Festival of the Trees at the Visitor's Center which will go to United Way for the schools' Care Closets, and other items to the Ecumenical Faith In Action Food Pantry. She wished everyone a Merry Christmas and a Happy New Year.

### R. APPOINTMENTS TO BOARDS AND COMMITTEES (VIDEO 1:04:56 – 1:05:44)

- 1. Sinking Spring Cemetery Committee
  - -Reappointment of John Legard, who is eligible to serve an additional term

On motion of Mr. Austin, seconded by Mrs. Quetsch, reappointed John Legard to serve an additional term on the Sinking Spring Cemetery Committee.

The roll call vote was as follows:

Mr. Austin	Aye
Mrs. Quetsch	Aye
Mr. Webb	Aye
Vice Mayor Anderson	Aye
Mayor Pillion	Aye

### S. CLOSED SESSION

Mayor Pillion declared the meeting adjour	ned.
-	Mayor Amanda Pillion
Kimberly Kingsley, Clerk	



#### **MEMO**

TO:

ABINGDON TOWN COUNCIL

FROM:

MAYANA RICE, ASSISSTANT TOWN MANAGER

SUBJECT:

REQUEST FOR A SPECIAL USE PERMIT FOR A

COMPREHENSIVE SIGN PLAN.

**PUBLICATION** 

DATE:

**NOVEMBER 30, 2023** 

**MEETING** 

DATE:

**DECEMBER 4, 2023** 

LOCATION:

COUNCIL CHAMBERS, TOWN HALL 133 WEST MAIN STREET, ABINGDON, VA

- On 8/28/2023 the Planning Commission was presented and voted in favor (with condition) of the following request:
  - Special Use Permit Cillian James Hegarty, 370 E. Main Street, Abingdon, VA 24210. Special Use Permit for Signage. Located at 370 E. Main Street, Abingdon, VA 24210. (Tax Map 013-1-82)
- On 9/5/2023 the Town Council was presented with the request. It was tabled for additional information.
- On 9/21/23 the applicant presented the item to the Town Council and were directed to provide additional detail.
  - o The project was tabled with the request that the applicants obtain all of the internal easements and present the project to the Town Council at a further meeting.
- Today 1/8/24 the applicant is presenting the signed easement language that connects the properties into one "comprehensive project location".

The Town Council's role is to review the Comprehensive Sign Plan as a Special Use Permit. All the conditions that were requested by the Planning Commission have been completed except those that would only be accomplished if Town Council approves the Special Use Permit.

On 8/28/2023 a motion by Mr. Johnson, seconded by Mr. Wilson, the board voted to unanimously approve the application as presented with the following condition(s):

- 1. Submit for review to the Community Development Department and Applicant record a permanent 15 ft. wide easement that links parcels (prior to the approval of the sign permit):
  - 013-1-82 Complete
  - 014-1-9 **Complete**
  - 014-1-24 Complete
  - 014-1-25 Complete
  - 014-1-24C **Complete**
  - 013-1-143 Complete
- 2. Submit for review to the Community Development Department and record a permanent easement located between the existing engineering building and the existing brewery building exiting onto Deadmore Street. Complete
- 3. The permanent easement must identify that this area is for vehicular and pedestrian movement (not only on the recorded document but also on the physical site). Complete
- 4. The permanent easement must consist of a pavement, concrete or gravel surface and be maintained in perpetuity by the owners.
- 5. The permanent easement documentation must be signed by all property owners and recorded with each parcel. Complete
- **6.** The permanent easement documentation will identify the maintenance plan for easement and the responsible parties for each parcel. **Complete**
- 7. Submit internal directional signage for traffic flow that includes design, materials, and dimensions to be added to the comprehensive sign package and site plan with the submittal of the Sign Permit Application. Upon Approval of SUP by Town Council
- 8. Remove The Girl & The Raven Open sign and the Breakfast, Lunch, and Pastries signs on 380 E. Main Street to eliminate sign clutter on E. Main Street prior to approval of the Sign Permit. Upon Approval of SUP by Town Council
- 9. Remove the previous sign post located at 370 E Main Street prior to the approval of the Sign Permit. Upon Approval of SUP by Town Council

- 10. Submit a parking plan for spaces for all businesses located in the East Village prior to approval of the Sign Permit. Upon Approval of SUP by Town Council
- 11. The driveway for 370 E. Main Street shall have angled parking which will distinguish this route as a one-way entrance. Upon Approval of SUP by Town Council
- 12. Dumpster(s) either existing or new for all businesses must be fully enclosed and relocated if found obstructing an easement prior to approval of the Sign Permit.
- 13. A final lighting plan be submitted into the Community Development Department prior to the approval of a Sign Permit Application.
- 14. An additional easement must be established across the parcels:
  - 014-1-25 Complete
  - 014-1-24B **Complete**

### REQUIRED ACTIONS OF THE TOWN COUNCIL:

- A. <u>Sample Motions.</u> The role of the Town Council in this instance is to decide on the Special Use Permit for a Comprehensive Sign Plan request. The following sample motions have been provided by Staff for consideration by the Town Council:
  - <u>Sample Motion for Approval:</u> Having reviewed and considered the application materials, staff report, and public comment, in accordance with the requirements of Section 44-8-4-2C of the Town of Abingdon Zoning Ordinance, I move to approve the Special Use Permit.
  - <u>Sample Motion for Denial:</u> Having reviewed and considered the application materials, staff report, and public comment, in accordance with the requirements of Section 44-8-4-2C of the Town of Abingdon Zoning Ordinance, I move to deny the Special Use Permit.

ni 08

May Vary From Image Shown \*Final Colors And Product

SIGNS & AWNINGS

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15775 Portentield Hwy 276-676-2304 800-827-9637 Abingdon, VA 24210 Fox 276-676-4511

Greg Keith - DESIGN greghtlicom

File Name: east village 7-10-23 gk proof.fs Directory Name: Z:\Shopping Centers\East Village

Rev.

Current Date: 8/11/2023

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PREPARED BY AND RETURN TO: David J. Hutton #18744 Hutton & Associates, P.C. 131 Valley St. NE Abingdon, VA 24210

Tax Map Numbers: 013-1-82, 014-1-9, 014-1-24, 014-1-25, 014-1-24C and 013-1-143

THIS JOINT EASEMENT AGREEMENT made this \_\_\_\_\_ day of December, 2023, by and between HUGH CALVIN BELCHER and JULIE O. BELCHER, husband and wife, Grantors and Grantees, whose address is 350 E. Main Street, Abingdon, Virginia 24210; THE RAVEN PARTNERS, LLC, a Virginia limited liability company, Grantor and Grantee, whose address is 380 E. Main Street, Abingdon, Virginia 24210; BUDWOOD BEVERAGE, LLC, a Virginia limited liability company, Grantor and Grantee, whose address is P.O. Box 421, Abingdon, Virginia 24212; and ICE HOUSE, LLC, a Virginia limited liability company, Grantors and Grantees, whose address is 107 Park Street SE, Abingdon, Virginia 24210.

### WITNESSETH:

WHEREAS, Hugh Calvin Belcher and Julie O. Belcher are the owners of certain real property described as all that certain lot or parcel of land located in the Town of Abingdon, Washington County, Virginia, with improvements thereon and appurtenances thereto, containing 0.58 Acres, more or less, as shown on a plat entitled in part, "Gladys T. Dickenson Property," a copy of which is of record in Plat Book 10, Page 51, in the Clerk's Office of the Circuit Court of Washington County, Virginia, which lot or parcel was conveyed to the Belchers by deed of record in the aforesaid Clerk's Office as Instrument No. 230001355, and further identified as Tax Map No. 013-1-82;

WHEREAS, The Raven Partners, LLC, is the owner of certain real property which

adjoins the above-described property and which is described as all that certain lot or parcel of land situated in the Town of Abingdon, Washington County, Virginia, with improvements thereon and appurtenances thereto, containing 0.51 Acres, more or less, as shown on a plat entitled in part "Part of Tract #1 – Mamie Johnson Robinson Property", of record in the Clerk's Office of the Circuit Court of Washington County, Virginia, in Deed Book 863, Page 175, which lot or parcel was conveyed to The Raven Partners, LLC, by deed of record in the aforesaid Clerk's Office as Instrument No. 210001871, and further identified as Tax Map No. 014-1-9;

WHEREAS, Budwood Beverage, LLC, is the owner of certain real property which adjoins the above-described property and which is described as all those three certain lots or parcels of land situated in the Town of Abingdon, Washington County, Virginia, with improvements thereon and appurtenances thereto, containing 0.282 Acres, more or less, containing 0.608 Acres, more or less, and containing 0.56 Acres, more or less, which lots or parcels were conveyed to Budwood Beverage, LLC, by deed of record in the aforesaid Clerk's Office as Instrument No. 230002123, and further identified as Tax Map Nos. 014-1-24, 014-1-24C and 014-1-25;

WHEREAS, ICE HOUSE, LLC, a Virginia limited liability company, are the owners of certain real property which adjoins the above-described property and which is described as all that certain lot or parcel of land situated in the Town of Abingdon, Washington County, Virginia, with improvements thereon and appurtenances thereto, containing 1.62 Acres, more or less, which lot or parcel was conveyed to Susan B. Humphreys, Richard Humphreys, John D. Barrow, III, and Nancy Heriot by deed of record in the aforesaid Clerk's Office as Instrument No.

050005884, and further identified as Tax Map No. 013-1-143;

WHEREAS, the Grantors and Grantees desire to bind themselves, their heirs, successors and assigns, for the benefit of the owners of all these lots, to operated commercial businesses in the same area to be known as "East Village", and to liability for the repairs, maintenance and use of the proposed fifteen foot (15') wide easement and the proposed twenty-four-foot (24') wide easement as hereinafter set forth and declare that all lots or parcels referenced above shall be held, transferred, sold, conveyed, and occupied subject to the obligations imposed by this agreement and all valid amendments hereto, said obligations to run with the land.

NOW, THEREFORE, in consideration of the premises, Hugh Calvin Belcher and Julie O. Belcher hereby grant and convey unto The Raven Partners, LLC; Budwood Beverage, LLC; Ice House, LLC, a Virginia limited liability company, their heirs, successors and assigns, a non-exclusive perpetual easement of right-of-way for the benefit of the parties hereto and the general public for pedestrian and vehicular ingress and egress over, across and through Hugh Calvin Belcher's and Julie O. Belcher's property described above, which easement is more fully depicted in the shaded area on the plat entitled in part, "Map Showing a Proposed Easement from E. Main & Deadmore Streets to the Terminus of Park Street for Walberg LLC," a copy of which is of record in the aforesaid Clerk's Office in Plat Book \_\_\_\_\_\_\_, Page \_\_\_\_\_\_;

AND, FURTHER, in consideration of the premises, The Raven Partners, LLC, hereby grant and convey unto Hugh Calvin Belcher and Julie O. Belcher; Budwood Beverage, LLC; Ice House, LLC, a Virginia limited liability company, their heirs, successors and assigns, an non-exclusive perpetual easement of right-of-way for the benefit of the parties hereto and the general

public for pedestrian and vehicular ingress and egress over, across and through The Raven Partners, LLC's property described above, which easement is more fully depicted in the shaded area on the plat entitled in part, "Map Showing a Proposed Easement from E. Main & Deadmore Streets to the Terminus of Park Street for Walberg LLC," a copy of which is of record in the aforesaid Clerk's Office in Plat Book \_\_\_\_\_\_\_\_\_;

AND, FURTHER, in consideration of the premises, Budwood Beverage, LLC, hereby grant and convey unto Hugh Calvin Belcher and Julie O. Belcher; The Raven Partners, LLC; and Ice House, LLC, a Virginia limited liability company, their heirs, successors and assigns, an non-exclusive perpetual easement of right-of-way for the benefit of the parties hereto and the general public for pedestrian and vehicular ingress and egress over, across and through Budwood Beverage, LLC's property described above, which easement is more fully depicted in the shaded area on the plat entitled in part, "Map Showing a Proposed Easement from E. Main & Deadmore Streets to the Terminus of Park Street for Walberg LLC," a copy of which is of record in the aforesaid Clerk's Office in Plat Book \_\_\_\_\_\_\_, Page \_\_\_\_\_\_;

AND, FURTHER, in consideration of the premises, Ice House, LLC, a Virginia limited liability company, hereby grant and convey unto Hugh Calvin Belcher and Julie O. Belcher; The Raven Partners, LLC; and Budwood Beverage, LLC, their heirs, successors and assigns, an non-exclusive perpetual easement of right-of-way for the benefit of the parties hereto and the general public for pedestrian and vehicular ingress and egress over, across and through Ice House, LLC's property described above, which easement is more fully depicted in the shaded area on the plat entitled in part, "Map Showing a Proposed Easement from E. Main & Deadmore Streets to the

Terminus of Park Street for Walberg LLC," a copy of which is of record in the aforesaid Clerk's Office in Plat Book \_\_\_\_\_\_, Page \_\_\_\_\_.

AND, in further consideration of the premises and the mutual covenants contained herein, the parties hereby declare, covenant and agree that the following terms and conditions as to the use and maintenance of said joint easement and signage easements and maintenance shall be binding on all owners referenced in this deed:

- 1. The surface of the permanent joint easements as created and described herein must consist of asphalt pavement, concrete or gravel and shall be maintained in perpetuity by the respective individual owners of the tracts of land to the extent the permanent easement is located on each respective owner's tract of land, until other maintenance arrangements may be made by agreement of the parties hereto, their heirs, successors or assigns.
- 2. The monument signs for "East Village" to be located on East Main Street and on Park Street shall provide equal signage space for the business operations to be located on or in the respective properties of Hugh Calvin Belcher and Julie O. Belcher, The Raven Partners, LLC, Budwood Beverage, LLC and Ice House, LLC. The other tenants of the property owned by Ice House, LLC shall equally share the remaining signage space on the lower portion of the monument signs, all as presented for approval to the Town of Abingdon.
- 3. Ice House, LLC shall be responsible for the cost of erecting both monument signs on East Main Street and Park Street and having the signage printed as requested by each of the other parties hereto. All of the parties hereto shall be collectively responsible and liable for the cost of the ongoing reasonable and necessary maintenance and repairs of said monument signs

and signage thereon.	
WITNESS the following sig	gnatures and seals:
	(Seal)
	HUGH CALVIN BELCHER
	(Seal'
	JULIE O. BELCHER
COMMONWEALTH OF VIRGIN COUNTY OF WASHINGTON, to	
The foregoing instrument w 2023, by Hugh Calvin Belcher and	vas acknowledged before me this day of December, Julie O. Belcher.
My commission expires:	Notary Public
Notary registration number:	

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### THE RAVEN PARTNERS, LLC a Virginia limited liability company

	BY:	(Seal)
COMMONWEALTH OF VIRGINIA COUNTY OF WASHINGTON, to-washing the foregoing instrument was 2023, by LLC, a Virginia limited liability com	wit: s acknowledged before me this	
My commission expires: Notary registration number:	Notary Public	

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### BUDWOOD BEVERAGE, LLC a Virginia limited liability company

BY:(Seal)
COMMONWEALTH OF VIRGINIA COUNTY OF WASHINGTON, to-wit:  The foregoing instrument was acknowledged before me this day of December, 2023, by for Budwood Beverage, LLC, a Virginia limited liability company by its authorized member.
Notary Public  My commission expires:  Notary registration number:

THE REMAINDER OF THIS PAGE INTENTIONALLY LEFT BLANK

	ICE HOUSE, LLC, a Virginia limited liability company
	By:Authorized member
COMMONWEALTH OF VIRGINI COUNTY OF WASHINGTON, to-	:
	cknowledged before me this day of December,
2023, by, liability company, by its authorized	mber. for Ice House, LLC, a Virginia limited
	otary Public
My commission expires:	
Notary registration number:	



#### STAFF REPORT

TO:

**ABINGDON PLANNING COMMISSION** 

FROM:

GABRIEL CRISTOFARI, SENIOR PLANNER/GIS

SUBJECT:

REQUEST FOR A SPECIAL USE PERMIT FOR A

**COMPREHENSIVE SIGN PLAN.** 

**PUBLICATION** 

DATE:

**AUGUST 21, 2023** 

**MEETING** 

DATE:

**AUGUST 28, 2023** 

LOCATION:

**COUNCIL CHAMBERS, TOWN HALL** 

133 WEST MAIN STREET, ABINGDON, VA

### **REQUEST:**

Hugh Belcher (Owner) and Cillian James Hegarty (Applicant) have requested approval of a Special Use Permit to add two monument signs to the property to advertise the entryway to the proposed development "East Village". The primary focus is to unify the existing businesses around a shared parking area. The first monument sign will be located on E. Main Street and the second monument sign will be located on Park Street.

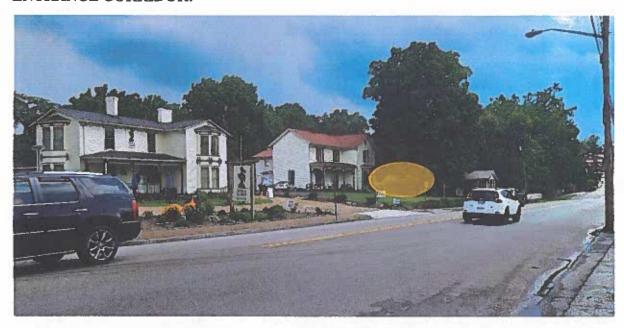
The Special Use Permit request is for a Comprehensive Sign Plan per section 8-4-2 of Article VIII Community Design Standards.

The property is within the General Business District (B-2) and is within the Entrance Corridor therefore requiring the approval of the Planning Commission prior to completion.

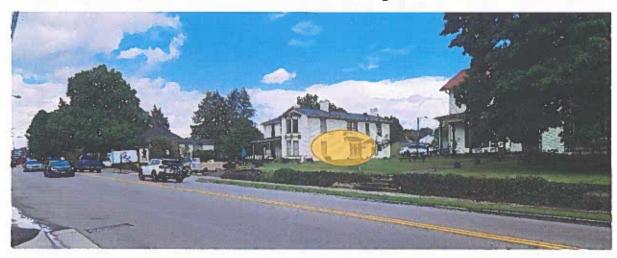
### **VICINITY MAP:**



### **ENTRANCE CORRIDOR:**



View of E. Main Street looking West



View of E. Main looking East



View of Deadmore Street looking South



View of Deadmore Street looking North

### **ZONING MAP:**



### STAFF FINDINGS:

- 1. <u>Location</u>. The Subject Property contains approximately 0.58 acres and is legally described as E MAIN ST-BARBEE ACR .58 (Tax Map No. 013-1-82). Generally, the Subject Property is located at 370 E. Main Street.
- 2. <u>Background</u>. There is existing signage visible on the properties of Sweetbay Brewing Company, Brazen Raven Coffee Roasters, and The Girl & The Raven. However, the applicants are interested in this property functioning as one location. In order to accomplish this, both a permanent easement through all the parcels and a Comprehensive Sign Plan are being proposed.
- 3. Access. Access to the site will be on E. Main Street, Deadmore Street, and Park Street.
- 4. Adjacent Land Uses/Zoning. Adjoining properties on the North, East, and West are zoned General Business District (B-2). To the southwest is a parcel zoned Residential (R-2). To the southeast is a parcel zoned Limited Industrial District (M-1).
- 5. Applicable Requirements of the Zoning Ordinance.

### Comprehensive Sign Plan.

Section 8-4-2 Administration.

- (c) Special exceptions.
  - (1) Comprehensive sign plan.
    - <u>a.</u> Special exceptions to this article may be granted in B, M, and PTD Districts as a comprehensive sign plan approved by special use permit. Special exceptions to the maximum height requirements in this article shall not be permitted.
    - <u>b.</u> The comprehensive sign plan is intended to promote consistency among signs within a development and enhance the compatibility of signs with the architectural and site design features within a development.

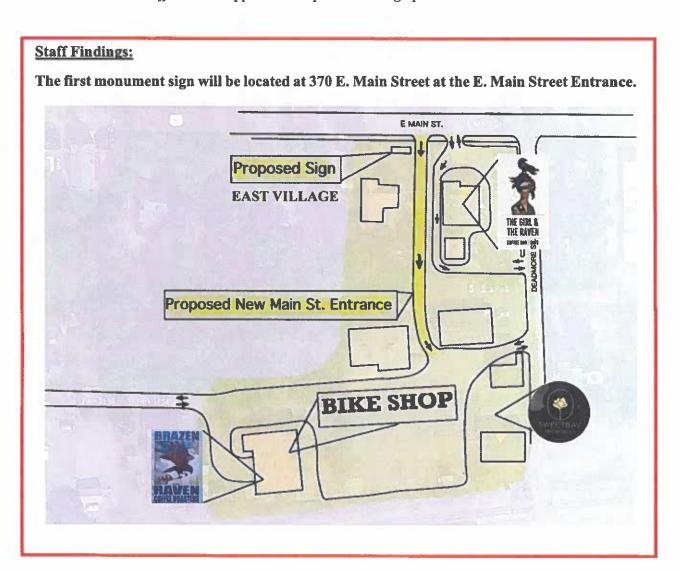
### (2) Contents of plan.

- <u>a.</u> A comprehensive sign plan, which may be a written document or drawings adequate to depict the proposed signs, shall include:
  - 1. The proposed general locations for freestanding signs on a lot as well as the proposed location(s) for building signs on a building facade.
  - 2. Types of signs proposed.
  - 3. A listing of materials proposed for all sign structures and sign surfaces.

- 4. The maximum number and maximum size of proposed signs.
- 5. The type of illumination, if any, proposed for all signs, including whether internally illuminated or external illuminated and describing the type of light fixture proposed.
- <u>6.</u> A description of any ornamental structure upon which a sign face is proposed to be placed.

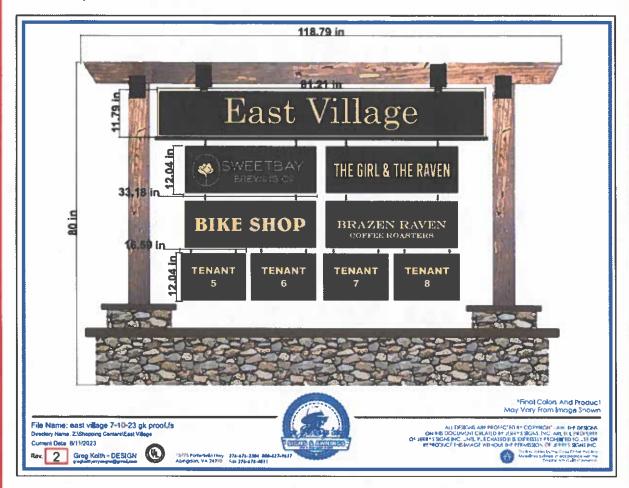
### (3) Amendment of plan.

<u>a.</u> A comprehensive sign plan may be amended by submitting a revised comprehensive sign plan for consideration and determination through the special use permit process. Upon approval, the amended plan shall have the same force and effect as an approved comprehensive sign plan.



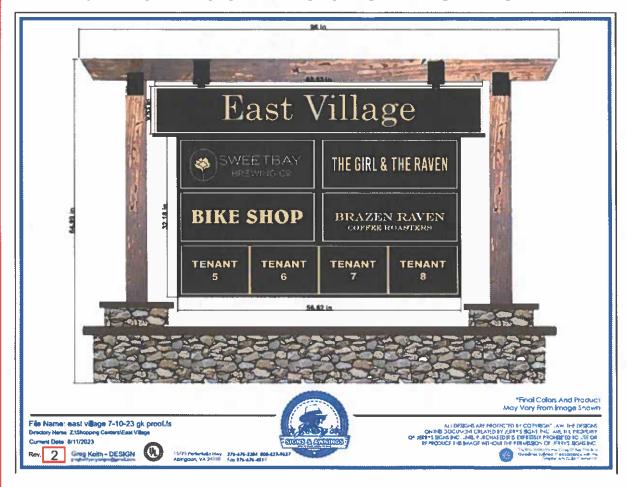
The structure that supports the signs will have a maximum overall dimension of 80 in. x 118.79 in. composed of wooden beams and limestone masonry with individual internal signs annotating the name of the complex as well as signs for each individual tenant.

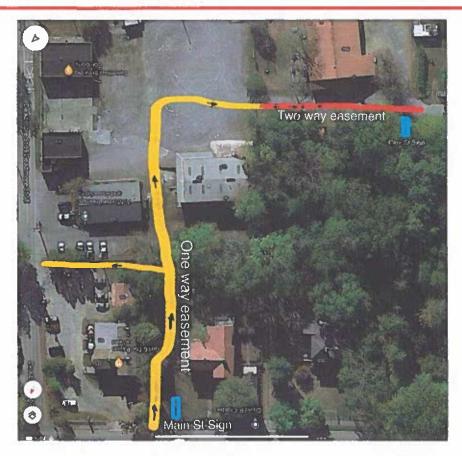
The individual signs will consist of a black and gold color scheme and be made from vinyl, aluminum, or a similar flat surface.



The top sign will measure 11.79 in. x 81.21 in. equaling 6.65 sq. ft. and will display the name of the development. Below the top sign will be four smaller signs each measuring 12.04 in. x 33.18 in. equaling 2.77 sq. ft. and will display the names of the tenants. There will be four smaller signs on the bottom each measuring 12.04 in. x 33.18 in. equaling 1.39 sq. ft. and will display the names of future tenants located within the development.

The second monument sign will be located at Park Street. The structure and signs will comprise of the same material, color scheme, and lettering as the first monument sign. The structure will measure 64.99 in. x 96 in. The top portion of the sign will measure 9.53 in. x 65.63 in. equaling 4.34 sq. ft. The bottom portion of the sign will measure 32.18 in. x 56.62 in. equaling 12.65 sq. ft., bringing the total signage's square footage to 17 sq. ft..





An entrance to the development is located at 370 E. Main Street. The access provides a one-way easement leading South to the proposed shared parking lot and West to the exit on Park Street. The one-way easement provides an exit East across 380 E. Main Street. An entrance and exit to the shared parking lot can be accessed with the two-way easement found on Park Street

The applicant is requesting approval for future tenant signage.

- 1. Ice House Building For the Ice House property on Park Street the applicant proposes the option of three signs with the following dimensions or smaller of 4 ft. x 5 ft. rectangular signs, or alternatively, 5 ft. diameter circular signs. Each sign material will be aluminum and comprise of the color palettes and logos specific to each prospective business i.e., coffee roastery, bike shop, and adventure shop, located there.
- 2. Sweetbay Out Building For the Sweetbay Out Building the applicant proposes the option of one sign with the following dimensions or smaller of a 4 ft. x 5 ft. rectangular sign, or alternatively, 5 ft. diameter circular sign. This will be located on the building closest to the Deadmore Street entrance. The sign material will be aluminum and comprise of the color palette and logo specific to the prospective business located there.
- 3. 370 E. Main Street For 370 E. Main Street the applicant proposes the option of one sign with the following dimensions or smaller of a 3 ft. x 5 ft. rectangular sign. The sign material will be aluminum and comprise of the color palette and logo specific to the prospective business located there.
- 4. 380 E. Main Street For 380 E. Main Street the applicant proposes the option of one sign with the following dimensions or smaller of a 1 ft. x 3 ft. rectangular sign, or alternatively, 3 ft. in diameter circular sign. The sign material will be aluminum and comprise of the color palette and logo specific to the prospective business located there.



Future tenant sign at 370 E. Main Street

### **Existing Signage**





Existing signage for Sweetbay Brewing Company



There is a post that shows that there was previous signage located at 370 E. Main Street. This is required to be removed.



Existing signage for Brazen Raven Coffee Roasters











There is an excess of existing signage for The Girl & The Raven.

The sandwich board signs are allowed. However, staff is recommending the Planning Commission discuss a permanent solution for the drive through with curb.

The Open / Close sign is in addition to the permanent sign and is being conditioned to be removed.

The snipe signs are not allowed. They need to be removed.

### **Entrances and Exits**





Existing entrance/exit at Sweetbay Brewing Company









Existing entrances/exits at The Girl & The Raven

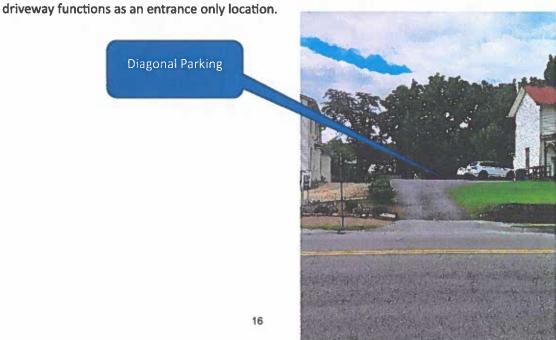
The creativity that is identified in unifying these various parcels is the type of scenario where the Comprehensive Sign Plan can be of service. However, because it is a Special Use Permit conditions can be placed on the project in order to ensure the site is adequately designed and managed.

Staff identified several key components of this project that should be addressed as a condition.

1. One way entrance from Main Street must connect from 370 E. Main Street (013-1-82) across the parcel that currently houses the Girl & Raven (014-1-9).



2. Diagonal parking must be marked on the property at 370 E. Main Street to ensure that the



# AN ORDINANCE OF THE COUNCIL FOR THE TOWN OF ABINGDON, VIRGINIA PROPOSING AN AMENDED BUDGET FOR THE TOWN OF ABINGDON AND TO MAKE APPROPRIATION FOR THE AMENDMENT OF CURRENT EXPENSES AND REVENUES OF THE TOWN FOR THE FISCAL YEAR BEGINNING JULY 1, 2023, AND ENDING JUNE 30, 2024

**WHEREAS,** a proposed amended balanced budget setting forth the revenues and expenditures for the Town of Abingdon was prepared and submitted to the Abingdon Town Council on January 8, 2024; and

**WHEREAS,** a public hearing was held on January 8, 2024, in accordance with Sections 15.2-2504; 15.2-2507 and 15.2-1427 of the Code of Virginia, 1950, as amended, concerning amendment of the Town of Abingdon Fiscal Year 2023-2024 budget as further set forth herein; and

**WHEREAS**, the first reading of the amended ordinance was held by the Council of the Town of Abingdon on January 8, 2024; and

**WHEREAS,** proposed amendment includes additions to revenue from grants, interest on ARPA funds and an insurance claim. The total general fund budget amendment will increase the budgeted expenditures and offsetting revenues by \$1,050,849.43.

**WHEREAS,** the following amendment proposed for the 2023-2024 fiscal year amended budget:

REVENUE SOURCE		EXPENDITURE
DEQ Litter Prevention Grant	\$ 5,849.43	Sustain Abingdon
VA Department of Forestry Grant	\$ 10,000.00	Tree Give-away
Welcome Center		
Merchandise Sales	\$ 10,000.00	Merchandise supplies
ARPA Interest	\$ 11,000.00	Splashpad Recirculation Tank
VFIS Insurance Claim	\$1,000,000.00	Fire Truck
Norfolk Southern Grant	\$ 14,000.00	Fire Safety Program
TOTAL	\$1,050,849.43	

**NOW THEREFORE, BE IT ORDAINED,** by the Council of the Town of Abingdon, pursuant to Section 15.2-2500, et seq. of the *Code of Virginia*, 1950, as amended, the following:

Revenue General Fund be increased by: \$1,050,849.43 as set forth Expenses General Fund be increased by: \$1,050,849.43 as set forth

**BE IT FURTHER ORDAINED** that this Ordinance of adoption of the amended budget shall take effect on January 8, 2024.

### **CERTIFICATE**

Pursuant to Section 2-100 of the Cod reviewed the foregoing ordinance Pro Virginia and to reflect the foregoing a in correct form this day of Dece	posing an Amended Budget mendments, modifications and	for the Town of Abingdon,
C	ameron Bell, Counsel	-
This ordinance was adopted on first reapursuant to Code of Virginia 1950, as may adopt such amendment at the advesuch meeting on the proposed budget a	s amended, Section 15.2-250 rtised meeting, after first prov	7, any local governing body
Amanda Pillion, Mayor		
The undersigned clerk of the Town of Abingdon, Virginia (the "Town"), hereby certifies that the foregoing constitutes a true and correct copy of an ordinance duly adopted at a meeting of the Council held on January 8, 2024. I hereby further certify that such a meeting was a regularly scheduled meeting and that, during the consideration of the foregoing ordinance, a quorum was present. I further certify that the minutes of such meeting reflect the attendance of the members and the voting on the foregoing ordinance was as follows:		
MEMBERS	ATTENDANCE	VOTE
Amanda Pillion, Mayor		
Dwyane Anderson, Vice Mayor		
Derek Webb		
Donna Quetsch		
Wayne Austin		
WITNESS MY HAND and the sea		s of January 8, 2024.  ngsley, Town Clerk