



PLANNING COMMISSION
Council Chambers
300 Lee Street
Bristol, Virginia 24201
November 18, 2019

12:00 PM

I. Call to Order

II. Brief Updates and Comments from Staff and Commission Members

III. Comments from Members of the Public on Non-agenda Items

IV. Consider regular meeting and work session minutes.

[October 21, 2019 regular meeting minutes and October 28, 2019 work session minutes.](#)

V. New Business - None Scheduled

VI. Old Business

[Revised Draft Zoning Map Review](#)

[Recommendation on Special Exception application #05-2019 for a Barber Shop at 20 Peters Street **Tax Map No. 34-3-40B, 41B, 42B**](#)

VII. Adjournment *Next Regular Meeting - Monday, December 16, 2019*

**PLANNING COMMISSION
AGENDA ITEM SUMMARY**

Meeting Date: November 18, 2019 Department: Community & Economic
Development

Staff Contact: Sally Morgan, City Planner

AGENDA ITEM WORDING:

October 21, 2019 regular meeting minutes and October 28, 2019 work session minutes.

ITEM BACKGROUND:

None.

PREVIOUS RELEVANT ACTION:

STAFF RECOMMENDATION:

Approve

DOCUMENTATION:

[PC Minutes 10.21.19 Regular Meeting.docx](#)

[PC Minutes 10.28.19 Work Session.docx](#)

Bristol Virginia Planning Commission
Monday, October 21, 2019
12:00 pm

MEMBERS PRESENT:	MEMBERS ABSENT:	STAFF:	OTHERS:
Mike Braswell	Jordan Pennington	Sally Morgan	Clayton Harlow
Breanne Forbes-Hubbard	Kevin Wingard	Amy Dula	Edward Harlow
Susan Long		Bart Poe	Bart Long
Michael Pollard			
Ric Watts			

I Call to Order

Mr. Pollard called the meeting to order at 12:01 pm.

II. Brief Update and Comments from Staff and Commission Members

Mr. Pollard inquired on the status of the Pizza Hut on Lee Highway. Ms. Morgan, City Planner, reported that to her knowledge there has been no site plan submitted yet for this project.

Mr. Pollard recognized the service of both Todd Buchanan and Bart Long as past Planning Commission members. Mr. Long was present to accept a Certificate of Appreciation from the City presented to him by Mr. Pollard. Ms. Morgan stated that she would make sure that Mr. Buchanan receives his certificate as well.

III. Comments from Members of the Public on Non-Agenda Items

There were no comments from the public.

IV. Consideration of Minutes of September 16, 2019 Regular Meeting and September 30, 2019 Work Session

Ms. Morgan stated there was a revised set of September 30, 2019 work session minutes distributed to all. She recommended that Commissioners approve the minutes in two separate votes.

Ms. Long made a motion to approve the September 16, 2019 regular meeting minutes. Ms. Forbes-Hubbard seconded the motion.

Ayes: Forbes-Hubbard, Long, Pollard, Watts
Abstain: Braswell

Ms. Long made a motion to approve the amended September 30, 2019 work session minutes. Mr. Watts seconded the motion.

Ayes: Braswell, Long, Pollard, Watts
Abstain: Forbes-Hubbard

V. New Business

A. Election of Vice-Chairman for remainder of FY 2019-20 (through June 30, 2020)

Ms. Morgan, reported that due to the resignation of Todd Buchanan, the position of Vice-Chairman is vacant and the position will need to be filled for the remainder of the 2019-2020 fiscal year

Mr. Pollard opened the floor for nominations. Mr. Watts nominated Ms. Long to serve as Vice-Chair for the remainder of the 2019-2020 fiscal year. Ms. Forbes-Hubbard seconded the nomination. Mr. Pollard closed the floor for nominations. Mr. Pollard called for a vote on naming Susan Long as Vice-Chairman.

Ayes: Forbes-Hubbard, Watts, Braswell, Pollard
Abstentions: Long

B. Review of Special Exception Application #05-2019 for a barbershop in an R-2 zone at 20 Peters Street

Ms. Morgan reported that Clayton Harlow has submitted an application for a Special Exception for a barbershop operation to be located in a residential structure at 20 Peters St. The proposed location is zoned R-2 (Single and Two Family Residential) which by Bristol Virginia City Code does not allow business uses by right.

Ms. Morgan reported that the applicant plans to reside in the residence. Due to this consideration, the applicant considered only obtaining a home occupation permit rather than applying for a special exception, however, he determined that this might limit his business plans. Ms. Morgan reported that Edward Harlow (property owner) also signed the application form. .

Ms. Morgan stated that Bristol City Code (BCC) allows a property owner or applicant to request a Special Exception to allow a use of the property that would not otherwise be permitted (Section 50-39 of BCC) and this is not a rezoning request. The special exception process allows a specific use to occur without changing the zoning district. City Code Section 50-39 provides for a process to consider and approve special exceptions to the zoning ordinance. A special exception is defined as use of the property, which would not otherwise be permitted in the zone in which the property is situated. Ms. Morgan stated the process must follow state code requirements for a public hearing and a recommendation from the Planning Commission prior to approval by the City Council. Ms. Morgan presented a staff report describing the application, existing conditions, and a preliminary staff analysis of the application. *(A copy of the staff report is included in the minutes).*

Ms. Morgan stated that the city engineering recommended constructing the parking spaces at ninety degrees instead of at an angle for safety of the patrons and drivers on the two-way alley.

Mr. Watts asked for the specific location of the proposed business and if there were any residential areas near the location.

Mr. Edward Harlow stated there is one vacant but renovated house in the area. Mr. Harlow indicated that the existing out building and fence will be demolished and the applicant is willing to comply with city ordinances to make the building and parking accessible.

Mr. Pollard inquired about any comments from the members of the church that is adjacent to the proposed property. Ms. Forbes-Hubbard asked if a notification regarding the proposed business would be sent to the adjoining property owners. Ms. Morgan stated that city staff would notify each of the adjoining property owners prior to the public hearing

Mr. Pollard inquired about the type of signage that will be permitted. Ms. Morgan replied that the square footage of signage will be determined based on the amount of frontage on the street. .

Mr. Pollard inquired about the possibilities of other types of business if the property is sold. Ms. Morgan stated that if the Special Exception is granted a barbershop is the only business that would be permitted for that piece of property and that no other types of businesses will be permitted.

Ms. Morgan stated that the staff recommends that the Planning Commission forward Special Exception application #05-2019 to the City Council for a joint public hearing on November 12, 2019.

Susan Long made a motion to recommend a joint public hearing with City Council. Ric Watts seconded the motion and the following carried the vote:

Ayes: Braswell, Forbes-Hubbard, Long, Pollard, Watts

VI. Old Business

A. Work Session on next section of zoning maps to review for information and discussion.

Ms. Morgan stated the Planning Commission will continue its work sessions on revision to Zoning Maps by addressing the Work Area 3 section of the city from the railroad east to the city limits and Bonham Road (but south of Interstate 81). Ms. Morgan discussed a set of eight work maps for the following areas and possible changes, recognizing that many of these are minor adjustments to match zoning boundaries with property lines,

while some are proposed for better matching of the existing uses with the appropriate zoning district or to implement the Comprehensive Plan.

Map 1: Williams Street and E. Mary Street:

Proposed changing M-2 for the former Reclaimed Resources and BrisBlock property to FRD in conformity with comprehensive plan.

Commission members recommended giving a notice to property owners prior to changing all to FRD.

Proposed changing two small parcels between Fairview Street and Bris-Block Aly from M-2 to R-3. (*803 and 807 Fairview*)

Mr. Pollard recommended changing the two parcels from M-2 to B-1 to serve as a buffer between the residential and FRD zones.

The Commissioners agreed to change the area north of East Mary Street between Small Aly and Belk Aly from M-2 to R-3.

Map 2: Massachusetts & Rhode Island

Proposed changing the former Tenneva property and Gordon Garment from R-3 and M-2 to FRD,

Proposed changing two small pieces of property zoned B-3 to B-1 and R-2, respectively.

Mr. Pollard recommended locating the owner of the building between the FRD and residential zone before changing it to R-2.

Proposed changing the B-3 area on Rhode Island Avenue between Texas Avenue and Columbia from B-3 to R-3 except for the eight lots adjacent to Columbia which is proposed to be B-1.

Map 3: Texas Avenue and Valley Drive

Proposed minor line adjustments to match zoning boundaries with property ownership lines.

The Commission agreed to all of the minor line adjustments.

Map 4: Beaver Creek and Old Abingdon Highway

Proposed minor adjustments to match zoning boundaries with property lines.

The Commission agreed to the minor adjustments.

Map 5: Suncrest and Heritage Drive

Proposed extending B-1 slightly to match property boundary on one tract.

The Commission agreed to extend B-1.

Map 6: Reservoir Street

Proposed changing one lot from R-2 to R-3 to match rest of subdivision.

Map 7: Beacon Road

Proposed changing from R-2 to M-1 to match comprehensive plan and property boundaries.

Map 8: Landfill Area

Proposed adjusting M-2 and R-2 to ownership boundaries. Discussed whether city-owned property west of landfill needed to be zoned industrial as a buffer for the landfill. Ms. Morgan stated that she would research that with the Public Works Department and report back.

The Commission discussed scheduling one additional work session on November 4 at Noon to finish the proposed zoning map changes.

VI. Adjournment

The meeting adjourned at 1:08 pm.

DRAFT

Bristol Virginia Planning Commission
 Work Session
 Monday, October 28, 2019
 12:00 pm

MEMBERS PRESENT:	MEMBERS ABSENT:	STAFF:	OTHERS:
Michael Pollard, Chair	Breanne Forbes-Hubbard	Sally Morgan	
Mike Braswell	Kevin Wingard	Amy Dula	
Susan Long			
Jordan Pennington			
Ric Watts			

I Call to Order

Mr. Pollard called the meeting to order at 12:00 pm.
Secretary's Note: Mr. Pennington arrived at 12:03 pm.

II. Work Session on next section of zoning maps.

Ms. Morgan presented a set of work maps showing recommended revisions. Below is a summary of those revisions and discussion and decisions on changes to move forward.

Map 1: Beaverview and Walling Road

- Proposed changing the Black Wolf Plaza property from M-1 to B-3 and extending B-3 across Beaver Creek along Old Abingdon Highway. Discussion ensued regarding the section with residences between the roadway and the railroad, and consensus was to amend that section to B-1 instead of B-3 due to its lower potential for major retail-type uses.
- Proposed changing two small pieces of property just south of the underpass and beside the creek from M-2 to B-1 as well as the B-3 property just across Old Abingdon Highway which contains two commercial structures (845 and 897 Old Abingdon Highway).
- Proposed changing from R-1 to R-3 the portion of the Harber property not included in the R-3C rezoning (frontage on Old Abingdon Highway), and to match the R-3C with the property lines for the large Harber tract (304-A-1). Mr. Pollard recommended changing one little section to R-3 rather than R-3C, however further discussion resulted in consensus that this was really a mapping error and should be R-3C.
- Proposed changing a small portion of the property along the creek owned by the YMCA from R-3C to R-1 to match the property line.

Map 2: The Falls area

- Proposed changing small pieces of property along Four Winds Drive and East Circle Drive from B-3 to R-1 to match property lines and one small triangular piece from R-1 to B-3 to correspond with property lines.
- Proposed changing north side of land between Terrace Drive, Lee Highway, Underpass Road, and the railroad from R-1 to B-3. Most of this would eliminate having parcels with split zoning.

Secretary's note: Mr. Pennington left at 12:32 pm.

Map 3: Alexis Drive

- Proposed changing the Southern States property from R-1 and B-3 to FRD to match the property lines and correspond with the Comprehensive Plan for mixed uses.
- Proposed changing property on western side of intersection of Bonham Drive and Linden Drive from R-1 to B-1 for consistency with Comprehensive Plan.

Map 4: Old Airport Road

- Proposed changing one piece of the hotel property from R-1 to B-3 to match the property lines, but the Commission recommended leaving the property as R-1 to maintain the buffer between nearby residences and the hotel.
- Proposed changing four pieces of property on the eastern side of Old Airport Road from B-1 to B-3 including the Shell station, Highlands Union Bank, and Sonic. The Commission recommended extending the B-3 to Circle Drive and New York Street due to the frontage on the four-lane roadway.
- Proposed a few small shifts of zone boundaries to match property lines in this vicinity, including the rear portions of the Sonic and bank property that are currently zoned R-1.
- Proposed changing one piece of property at the entrance of Village Circle from R-1 to B-3 as this property is a part of The Village subdivision plat.

VI. Adjournment

The meeting adjourned at 1:00 p.m.

**PLANNING COMMISSION
AGENDA ITEM SUMMARY**

Meeting Date: November 18, 2019

Department: Community & Economic
Development

Staff Contact: Sally Morgan, City Planner

AGENDA ITEM WORDING:

Revised Draft Zoning Map Review

ITEM BACKGROUND:

PREVIOUS RELEVANT ACTION:

STAFF RECOMMENDATION:

City staff will provide an update on the zoning map review process with a few more recommendations (follow-up from the work sessions) and a proposed schedule for finalizing a revised zoning map.

DOCUMENTATION:

**PLANNING COMMISSION
AGENDA ITEM SUMMARY**

Meeting Date: November 18, 2019 Department: Community & Economic
Development

Staff Contact: Sally Morgan, City Planner

AGENDA ITEM WORDING:

Recommendation on Special Exception application #05-2019 for a Barber Shop at 20 Peters Street **Tax Map No. 34-3-40B, 41B, 42B**

ITEM BACKGROUND:

PREVIOUS RELEVANT ACTION:

STAFF RECOMMENDATION:

The staff recommends that the Planning Commission recommend the approval of Special Exception 05-2019 with the following two conditions: 1) The required parking spaces will need to be paved, and 2) Signage will be non-illuminated and comply with the size allowances found in Section 50-243 of City Code.

DOCUMENTATION:

[Final SR SE05-2019 20 Peters St.pdf](#)



BRISTOL, VIRGINIA PLANNING DEPARTMENT

FINAL STAFF REPORT

To: Planning Commission

From: Sally H. Morgan, City Planner

Date: November 13, 2019

RE: Special Exception Request #05-2019 for a Barber Shop at 20 Peters Street
Parcel ID 34-3 Lots 40B, 41B, and 42B

1) Applicant/Agent:

Clayton Harlow
500 Gate City Highway
Bristol, VA 2420

2) Property Owner:

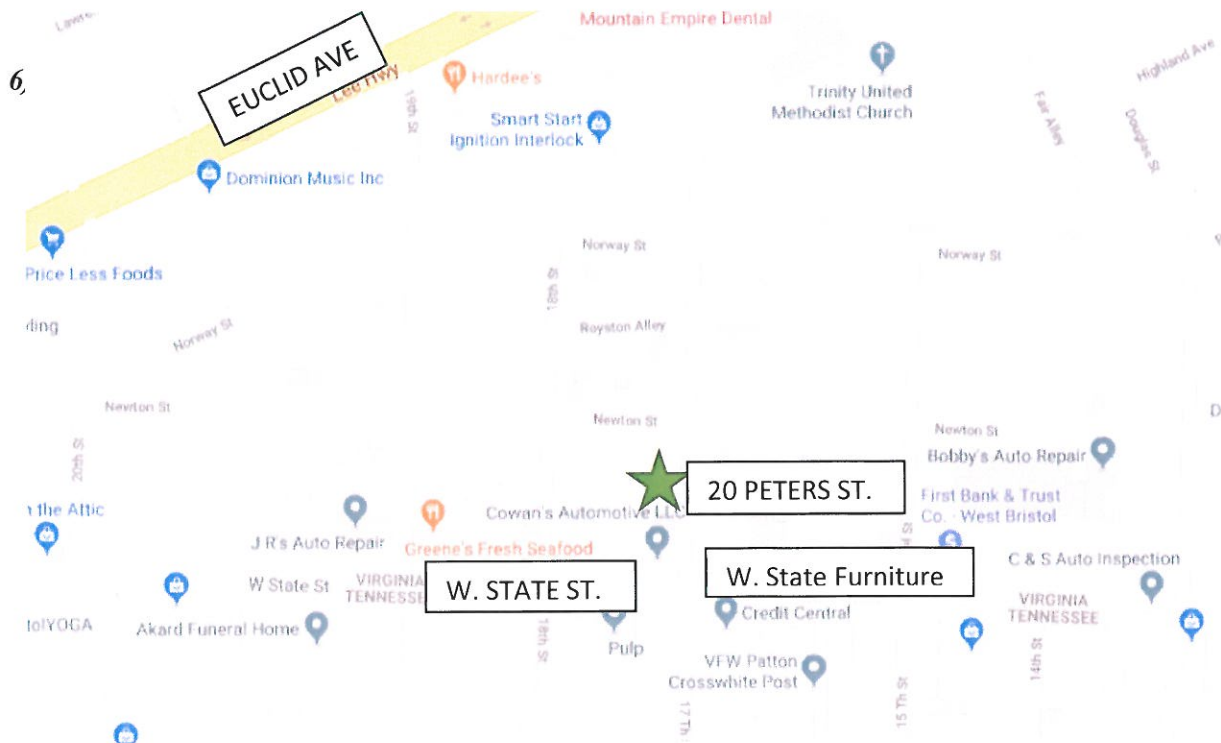
Ed Harlow
36 Nevada St.
Bristol, VA 24201

3) Property Address

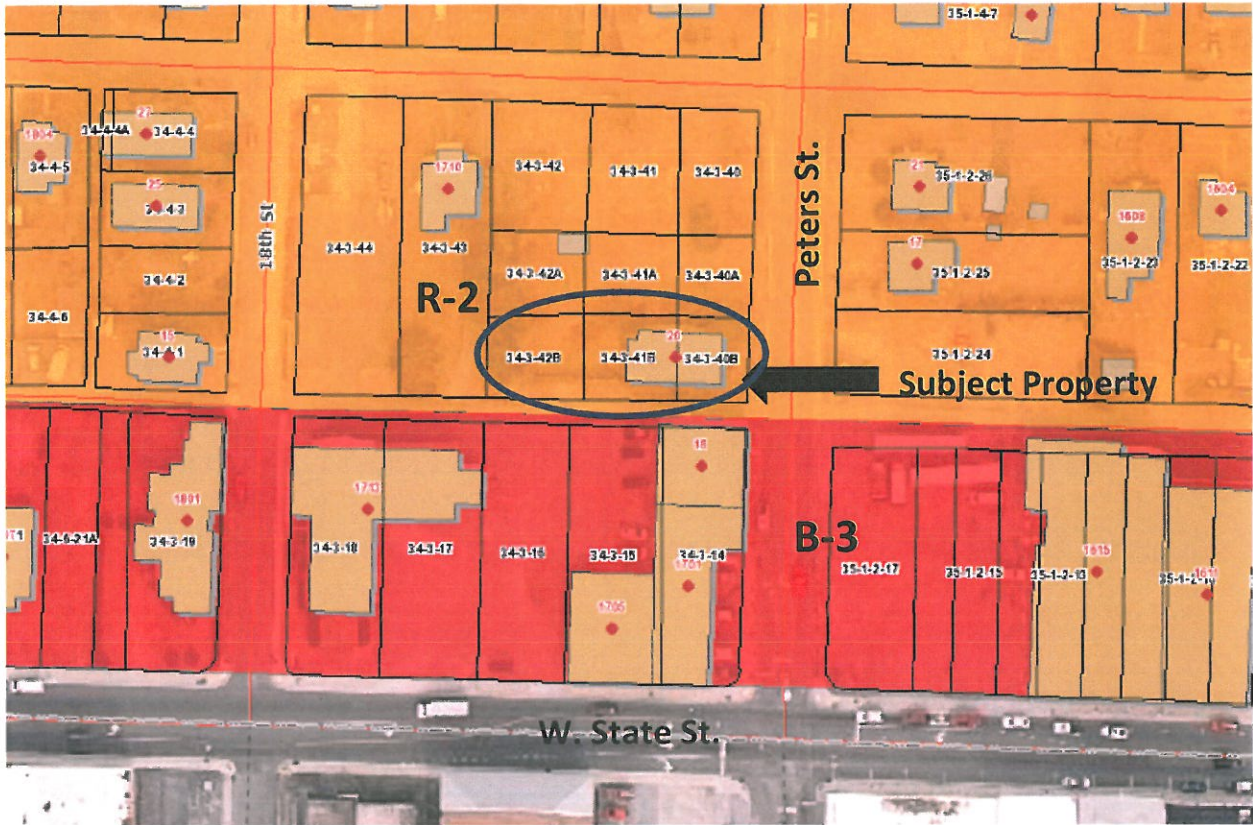
20 Peters Street
Bristol, VA 24201

4) Property Zoning: *Single and Two-Family Residential (R-2)*

5) Location Map:



6) Zoning Map



7) Property Photos



Front View

Rear View



8) Request:

Clayton Harlow has submitted an application for a Special Exception for a barber shop operation to be located in a residential structure at 20 Peters St. The proposed location is zoned R-2 (Single and Two Family Residential) which by Bristol Virginia City Code does not allow business uses by right. The applicant plans to also reside in the residence. Due to this, the applicant considered only obtaining a home occupation permit rather than applying for a special exception, however, he determined that this might limit his business plans. The property is owned by Edward Harlow who also signed the application form.

Bristol City Code (BCC) does allow a property owner or applicant to request a Special Exception to allow a “use of the property which would not otherwise be permitted” (Section 50-39 of BCC). This is not a rezoning request. The special exception process allows for a specific use to occur without changing the zoning district.

9) Background and Existing Conditions:

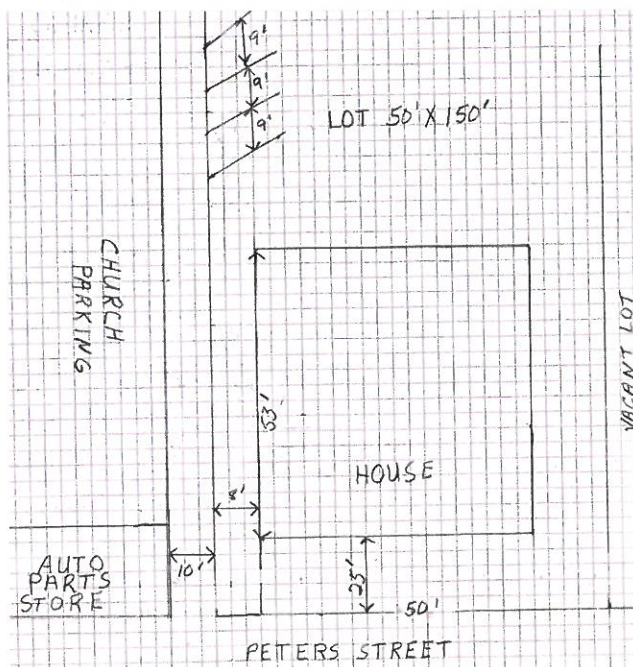
The subject property is 7,500 square feet (sf) in size (0.2 acres) and in three small parcels that are under the same ownership. The structure was built in the early 1940’s and takes up approximately 1,500 sf footprint on the property. The property is at the corner of Peters Street and Kings Mountain Alley with a frontage of fifty (50) feet on Peters Street. The building is currently vacant but is being renovated by the applicant.

The zoning of the remainder of the block and immediately across the street is R-2. The lot immediately to the north is vacant. The block to the south between Kings Mountain Alley and W. State Street is zoned B-3 (Intermediate Business). Immediately across the alley is an auto parts store and an auto repair shop. Across Peters Street from that commercial property is a furniture store with a large parking lot.

The property has no driveway and only street parking in front. The applicant proposes to create three parking spots in the rear of the structure accessed off the alley. The alley is approximately ten feet wide. There is a wood fence in the rear yard which would have to be removed to create the parking lot. There is also a dilapidated out building on the southwest corner of the tract. The applicant will need to construct a handicapped accessible walkway from the parking lot to the front door of the business.

10) Project Description

The proposed activity will be the establishment of a barber shop on the first floor of the structure. The applicant who is a state-licensed barber proposes to convert a portion of the former living space into space for customers for hair cutting and other related services. A conceptual site plan for the property submitted by the applicant shows three angled parking spaces in the back yard of the property. The applicant plans to be able to hire additional employees as his business grows so may need to expand the parking spaces in the future.



11) Previous Planning Commission Actions: There have been no previous Planning Commission actions related to this request.

12) Authority to Act:

Virginia Code §15.2-2286 (A) (3) provides the authority to City Council to grant special exceptions “under suitable regulations and safeguards.” The process for granting an exception is largely left to the local ordinance or code to define. City Code §50-39 stipulates that a special exception may be granted following due consideration of eight (8) particular questions regarding the impact of the proposed use and the availability of local services for the planned use. A complete application is required along with the applicable fee. The Planning Commission is required to provide a positive or negative recommendation to the City Council following a joint public hearing. The City Council, after hearing comments from the public, shall decide to grant or deny the request based on the facts and evidence presented by the staff, the Planning Commission and the public. Conditions may be attached to the granting of a special exception to address impacts of the proposed use.

13) City and State Code Requirements:

City Code §50-39 stipulates that a special exception may be granted following due consideration of eight (8) particular questions regarding the impact of the proposed use and the availability of local services for the planned use. The Planning Department has circulated the application materials and solicited responses from the various departments responsible for providing services and received the following responses:

1. The sufficiency of streets and public ways to accommodate increased traffic flow, the considered opinion of the City Engineer and of any certified traffic engineer being given particular weight by the council.
Staff Response: The city transportation planner states that the public street system can support the establishment of a barber shop at this location. The Engineering Department has suggested that the parking spots off the alley might work better to be perpendicular rather than angled as the alley carries two-way traffic; however that will be worked out by consultation on the site plan.
2. The sufficiency of electrical, sewer and water services for the proposed project, the considered opinion of the general manager of the utility board being given particular weight by the council.
Staff Response: BVU has reviewed the project and has identified no issues. Electrical power, water, and sewer are on site.
3. The sufficiency of fire, police, garbage, and other services of the City to meet the needs of the proposed project, the opinion of the department head of each department providing such City service being given particular weight.
Staff Response: The Bristol, VA fire and police department has reviewed the proposed request and have identified no issues in terms of providing fire protection and law enforcement services. The building will have to meet all applicable fire and building codes, as well as appropriate and safe standards for solid waste disposal. There is a fire hydrant within 500 feet of the structure.
4. The adequacy of protection to adjoining properties and to the air and water of the commonwealth from noise, odor, pollution and health hazards, the opinion of the state health department, state air pollution control board, state water quality control board, being given particular weight by the council.
Staff Response: The proposed use of the property is not anticipated to generate any noise, pollution, or health hazards.

5. The impact of the proposed project upon the property values of contiguous property owners as evidenced by the testimony or written opinion of the city's Economic Development Committee Director, a certified property appraiser, or opinion of a realtor licensed by the Commonwealth and regularly listing and selling properties within the City.
Staff Response: The proposed use is not expected by city staff to have a negative impact on property values of contiguous properties.

6. Whether the natural topography, natural screening or proposed screening to be put in place by the applicant is sufficient to promote the health, safety and general welfare of the community, to protect and conserve the value of contiguous properties and to encourage the most appropriate use of contiguous properties.
Staff Response: Due to the proximity to existing business uses and the lack of residential structures immediately adjacent to the subject property, it is unlikely that buffering will be needed.

7. Any other factor materially affecting the health, safety and general welfare of other citizens.
Staff Response: All applicable building and fire code standards will have to be met for life safety issues dealing with fire protection and other concerns.

8. If the project is to construct a parking garage or a parking lot as a primary use of a property in the B-2 district, certain additional requirements must be met, as defined in section 50-108(c)(1) and (2). *Staff Response:* Not Applicable.

14) Staff Analysis:

Staff has reviewed the circumstances surrounding the application for special exception #05-2019 at 20 Gate Peters Street and has the following analysis:

Consistency with the Comprehensive Plan: One of the major visions expressed in the 2017 City Comprehensive Plan (updated 2019) was making Bristol “the economic hub of the Tri-Cities” and to ensure job growth. A major objective to reach that goal is the revitalization and repositioning of the city’s aging commercial corridors including West State Street. The subject property, although developed originally for residential use, is just beyond one block from West State Street.

The Future Land Use map which is part of the Comprehensive Plan indicates most of the corridor of W. State Street at this location to be “Local Commercial” (which includes retail facilities that provide goods and services for local customers as opposed to interstate-oriented businesses). Although this specific property is shown as Residential, the existing residential structure will be retained and the business activity will not impact the residential uses nearby. Additionally, the close proximity to several businesses to the immediate south and the small size of the property limit its attractiveness for continued residential use.

Compatibility with Surrounding Uses: The conversion of the former residence to business use, especially for personal services such as a barber shop, is compatible with surrounding uses. The property is immediately adjacent to business buildings and there is a vacant lot on the other side of the property.

15) Conclusion: Amended November 13, 2019

The staff recommends that the Planning Commission recommend the approval of the Special Exception with the following two conditions: 1) The required parking spaces will need to be paved, and 2) Signage will be non-illuminated and comply with the size allowances found in Section 50-243 of City Code.