Planning Commission Minutes
October 13, 2004

Planning Commission Members Present:
Daniel Talbot, Thomas Schroeder, Jeremy Ream, Madelyn Dixon, Wake Gooden

Council Representative:
Wayne Printz was unable to attend the meeting.

Staff Present :
Mr. Dennis Donachy, Town Manager and Public Works/Zoning Administrator
Charlotte Shifflett

Call To Order
Daniel Talbot called the meeting to order at 7:00 pm.

Mr. Jeremy Ream was welcomed to the Planning Commission as a new member.

It was noted that Tom Schroeder's current term expires on November 30, 2004.

Minutes
The August minutes were approved and signed by the Chairman and Secretary.

Dan Talbot, Chair Person introduced the new Town Manager, Mr. Dennis Donachy. Mr. Donanchy stated that he is very pleased to have an active Planning Commission in the town and is looking forward to working with the members in an attempt to resolve issues facing the future of the town.

Old Business:
Dan referenced the Public Hearing that was held and stated that, B2 and/or R2 zoning have nothing distinguished or defined to offer current residents protection from business. The B2 verbiage may need revising to offer protection to existing residential areas.

The Town Attorney has mailed a draft copy of the recommended changes to B2 Zoning. Once it is formatted and passed by the Planning Commission it will be forwarded to Town Council for approval. A revised B2 zoning may prove to be more palatable to citizens.

Mr. Donachy questioned should a public hearing be held since the Planning Commission is presenting a zoning change? He anticipates scheduling a joint hearing between the Planning Commission and Town Council.

Sub Division–The subject was discussed regarding different interpretations for small lots as opposed to having streets and/or pavements in the larger developments. The conversation included comments relative to curb and gutter projects.

Sign Ordinance—The sign ordinance underwent some changes not long ago.

Mr. Donachy initiated this subject. He noted that he had received a call from a local financial institution desiring to place a banner at their place of business.

a. Is there a definition of banners placed by town citizens?
b. VDOT allows the temporary placement of banners in town if procedure is followed.
c. Is there any recommendation for enforcing signs?

Town of Elkton Code Books
A process needs to be implemented to be positive that all Code Books are being updated as revisions occur. A list needs to be established and data recorded as to where the Code Books are currently located. Each person with a book in his/her possession will be requested to return it to Charlotte temporarily to verify it is the current revision and then numbered to comply with distribution of future updates and/or revisions. This plan will be implemented to assure that all copies remain up to date and once the person it's issued too no longer needs it he/she is responsible to return or face the possibility of replacing the copy at a cost of $116.00.

Comprehensive Plan
The status of this Plan remains incomplete. Before it's completion some major issues need to addressed as follows:
a. Zoning
b. Plan for water, sewer, and utility lines for anticipated future growth.

Copy of B2 by Attorney
The draft copy was reviewed and the members discussed the proposed changes to B2 zoning.

Proposed Changes to B-2 Zoning

Section 110-611(F)(1)(d)[1]
One Side: zero feet, except where property located in a business district adjoins or is separated from any residential district only by a public street or way. In such instances, there shall be a ten-foot clear and maintained setback on the side or sides adjoining such residential district.

Section 110-611(F)(1)(d)[2]
Two Sides: zero feet, except where property located in a business district adjoins or is separated from any residential district only by a public street or way. In such instances, there shall be a ten-foot clear and maintained setback on the side or sides adjoining such residential district.

Section 110-611(F)(1)(e)
Rear yard: zero feet, except where property located in a business district adjoins or is separated from any residential district only by a public street or way. In such instances, there shall be a ten-foot clear and maintained setback on the side or sides adjoining such residential district.

Section 110-611(F)(2)(a)
Side yard: zero feet, except where property located in a business district adjoins or is separated from any residential district only by a public street or way. In such instances, there shall be a five-foot clear and maintained setback on the side or sides adjoining such residential district.

Section 110-611(F)(2)(b)
Rear yard: zero feet, except where property located in a business district adjoins or is separated from any residential district only by a public street or way. In such instances, there shall be a five-foot clear and maintained setback on the side or sides adjoining such residential district.

B2 (con't)
Dan Talbot noted, "If the verbiage speaks to any residential property instead of just property zoned residential, the Grandfather law can force the B2 owner to make changes that are not in the long term interest of the town."

Ms. Dixon, "In reference to what?"

Dan replied. "Anything that is zoned B2." One area in question at the Public Hearing was South Eastside Highway area where residential is located very close to business. The other area was Business 33 where the Elkton Florist and Myers Budget Lot were proposed to be zoned R2. The owners want these properties to remain as B2. The Commission is concerned about future business in the sub division.

The conversation reverted back to the B2 zoning change proposal. Mr. Donachy was consensus on the green spaces as outlined in the draft copy.

All members were invited to express concerns relative to the B2 zoning change recommendations. No questions were presented and this prompted a motion to accept the changes

Tom Schroeder moved, seconded by Commission Member Madelyn Dixon. Motion carried (5-0 voice vote)

- After attorney approval a joint Public Hearing will be scheduled.
- After Public Hearing the Planning Commission will vote to approve/disapprove changes as written.
- If approved by the Planning Commission, then change will be presented to Council for their approval/disapproval.

New Business:

There was nothing addressed as new business. One member inquired if there had been action on the McDaniel property on North Street? No final plat has been presented.

The next meeting is scheduled for November 10, 2004 at 7:00 PM.

Signature-Chairman

Signature-Secretary