PLANNING COMMISSION
JANUARY 20, 2009

Attendees:
Dan Talbot/Chair
Cole McGregor Madelyn Dixon Cathy Morrison
Charlotte Shifflett/Secretary Lauri Sigler/Attorney
Margretta Isom/Council Representative
Excused: Harry Armbruster/Vice Chair

The meeting was called to order by Dan Talbot who informed the members that the 60 day period ends on the Koogler permit on January 31, 2009, therefore, we needed to schedule tonight's meeting. Margretta Isom was welcomed to the group as the new Council Representative.

- Break the voting and discussion into two categories with a definition of issues to be addressed in both categories.
  - (1) **5 Acres**
    - a. Sub divide
    - b. Re Zone from R 8 to R 6
    - c. Special Exception Permit
  - (2) **11 Acres**
    - a. Sub divide
    - b. Re Zone from R 8 to R 6
    - c. Special Exception Permit
- Divide for issues per discussion and vote separately to simplify process.
- Attorney noted that no official changes are available at this time.
- The Planning Commission needs to state their position.
- The discussion could not be postponed until the February meeting. A recommendation needs to be made tonight.
- View new map dated Dec 12, 2008, by Hal Benner, to see the road that needs to be in place with 50 ft. road frontage and constructed to VDOT standards.

Tax Credits:
- Our decision was able to be delayed since the filing deadline was moved back. Mr. Koogler has a March deadline to file for tax credits.
  - a. Tax Credits have lost value—from .92/$1.00 to .70/$1.00 and could drop even further.
  - b. Credits offset profits for developers.
  - c. Credits will be issued August 6, 2009 with final allocations being awarded on November 6, 2009.

<u>Motion to sub-divide 5 acres of property 01/20/2009</u>
Cole McGregor made a motion to approve sub-division of a 5 acre parcel known as Phase I as further shown on plat dated December 12, 2008 by Hal Benner, that must include a minimum of 50 feet of developed public road in the area shown as access easement on the plat. Cathy Morrison seconded the motion.
(Yeas) Dan Talbot, Cathy Morrison, Margretta Isom and Cole McGregor
(Nays) Madelyn Dixon
Vote (4-1 voice vote) Motion carried.

Motion to re-zone 5 acres of property from R 8 to R 6 ,01/20/2009
Cathy Morrison made a motion to approve the rezoning of proposed sub divided 5 acre parcel known as Phase I, as shown on the plat dated December 12, 2009 from R 8 to R 6. The motion was seconded by Cole McGregor
(Yeas) Dan Talbot, Cathy Morrison, Margretta Isom and Cole McGregor, and Madelyn Dixon
(Nays) None
Vote (5-0 voice vote) Motion carried.

Motion made to approve a Special Exception Permit, 01/20/2009
Cole McGregor made a motion to approve a Special Exception Permit for up to 60 units in one building for the purpose of multi-family Senior dwelling as indicated on the Site Plan dated November 24, 2008, Floor Plate dated November 24, 2008 and on the Elevation Drawing as dated November 26, 2008; allowed minor revisions as may be required by a professional engineer due to site for other unknown variations with up to 10% interior change to meet market needs. The motion was seconded by Margretta Isom.
(Yeas) Dan Talbot, Cathy Morrison, Margretta Isom and Cole McGregor, and Madelyn Dixon
(Nays) None
Vote (5-0 voice vote) Motion carried

Motion made to approve a Special Exception Permit specifying parking requirements, 01/20/2009
Cathy Morrison made a motion to approve A Special Exception Permit to allow no more than 30 of the 90 required off street parking spaces for a 60 unit for multi-family senior dwelling to be finished in a graded surface instead of the surface requirement by Town of Elkton Code as shown the Site Plan dated November 24, 2008. The motion was seconded by Madelyn Dixon.
(Yeas) Dan Talbot, Cathy Morrison, Margretta Isom and Cole McGregor, and Madelyn Dixon
(Nays) None
Vote (5-0 voice vote) Motion carried

The next item on the agenda will be a more difficult decision. It will seek a recommendation by the Planning Commission to sub divide 10 acres as shown on the Division Survey Plat dated November 24, 2008, by Hal Benner.

With that in mind a member noted that a recent statistic shows that by the year 2020 the age group of 65 and older will double!

Motion made to approve the sub division of a 11.1 acre parcel.
Cathy Morrison made a motion to approve to sub divide 11.1 acre parcel known as Phase 2 and Phase 3 adjacent to the 5 acre parcel known as Phase I shown on plat dated December 12, 2008 by Hal Benner; with the North and North Easterly boundary line of said 11.1 acre parcel as shown on plat dated November 24, 2008 by Hal Benner. Margretta Isom, Council Representative seconded the motion.
(Yeas) None
(Nays) Dan Talbot, Cathy Morrison, Margretta Isom and Cole McGregor, and Madelyn Dixon
Vote (5-0 voice vote) Motion Failed

Motion made to approve the rezoning of a 11.1 acre parcel from R 8 to R 6

Cole McGregor made a motion to approve the rezoning of a proposed 11.1 acre parcel as described and known as Phase 2 and Phase 3 adjacent to the 5 acre parcel known as Phase I shown on plat dated December 12, 2008 by Hal Benner; with the North and North Easterly boundary line of said 11.1 acre parcel as shown on plat dated November 24, 2008 by Hal Benner. The motion was seconded by Margretta Isom.

(Yeas) None

(Nays) Dan Talbot, Cathy Morrison, Margretta Isom and Cole McGregor, and Madelyn Dixon

Vote (5-0 voice vote) Motion Failed

An accurate plat does not exist at this point and the information is insufficient to make a positive vote to approve the sub division and rezoning of the acreage in Phase 2 and Phase 3 relative to Town of Elkton Code.

Planning Commission Vacancies

Theodore Pence and Wayne Printz have expressed an interest in filling the remaining vacancy on the Planning Commission. Due to the lack of time, this issue will be tabled and placed on next month's agenda.

Path forward: **Charlotte will place this item on the February agenda.**

Revised Zoning Permit Application

Cole McGregor presented each member with a copy of a revised Zoning Permit Application to be used by the Zoning Administrator. Dan suggested that each member review the suggested changes and bring any ideas to the next scheduled meeting for discussion.

Path forward: **Charlotte will place this item on the February agenda.**

With no further business the meeting was adjourned with the meeting scheduled for the first Tuesday of the month, February 3, 2009 ~~2 8:00~~ 7:30pm located in the Council Chambers in the new Elkton Area Community Center at 20593 Blue & Gold Dr.

Submitted By:
Charlotte Shifflett
Administrative Secretary/Planning Commission

Chair/Dan Talbot

Secretary/Madelyn Dixon

PLANNING COMMISSION

Reference Drawings Attached:

Pg 1 of 3 Permit

TOWN OF ELKTON

ZONING PERMIT

ZP _____

This permit shall be posted in a conspicuous place

Application is hereby made for a Zoning Permit and Certificate of Zoning Compliance in accordance with the description and for the purpose hereinafter set forth. This application is made subject to all local and state laws and ordinances, which are hereby agreed to by the undersigned and which shall be deemed a condition entering into the exercise of this permit.

Owner

Name: Town of Elkton, Virginia — Phone Number: +1 (540) 298-1330

Address: 173 West Spotswood Avenue — City: Elkton — State: VA — Zip Code: 22827

Applicant / Builder ☐ same as owner

Name: Mark-Dana Corporation — Phone Number: +1 (281) 363-4210

Address: 19 Silverstrand Place — City: Woodlands — State: TX — Zip Code: 77381

Property Information

Tax Map / Parcel Number: 13T-A-122 & portion of 13T-A-L179 — Zoning: R-3 w/ request to rezone R-6

Address: 16.1 acres total per plat by Hal Benner dated 11/26/2008, project area is Phase I, 5 acres

Existing Structures (number & type): any existing structures will be removed for new development, see attached plans

Is parcel in the flood plain? ☐ Yes ☒ NO

Type of Permit Check all that apply

☐ Commercial	☒ Residential
☐ Addition	☐ Addition
☐ Commercial / Industrial Structure	☐ Alteration
Specify _____	☐ Garage / Carport
	☒ Multi Family — No. of units 160
☐ Other	☐ Other
Specify _____	Specify _____
☐ Reroof	☐ Reroof
☐ Sign	☐ Single Family
☐ Special Except on Permit	☒ Special Exception Permit
Specify _____	Specify See attached
☐ Storage building	☐ Storage building
Size _____	Size _____

What is your water supply source? ☒ Municipal ☐ Private Well

What is your sewage disposal source? ☒ Municipal ☐ Septic Tank

Town of Elkton
ZONING PERMIT

I certify that I above the authority to make the foregoing application, that the information given is correct, including any attached plans or drawings and that all construction will conform with all applicable State, County, and Town laws, ordinances and regulations with regard to zoning, health, and building. Failure to do so will automatically render this permit invalid. I understand that two copies of a plot plan (or a signage plan for signs) must be submitted with this applications, that construction requires a building permit issued by the Rockingham County Building Official, that a separate application must be made for water & sewer connections, and that if contractors must register with the Town prior to commencing work. I agree to repair any damages to sidewalks, streets, and utilities caused during construction. I agree to pay an inspection deposit and notify the Zoning Administrator within ten (10) days of completion of the work for an inspection and issuance of Certificate of Zoning Compliance. Failure to do so may result in the forfeiture of the inspection deposit which in no way relieves me of any obligation to comply with all Town requirements. Land may be used or occupied, and buildings structurally altered or erected or used or changed in use, only after the Certificate of Zoning Compliance is issued.

Date 11/26/08

Signed By David M Kincaid, Chairman

FOR TOWN USE ONLY

Refer to Planning Commission	☑ Yes	☐ NO	☐ Approved ☐ Disapproved	Date
Refer to Town Council	☑ Yes	☐ NO	☐ Approved ☐ Disapproved	Date
Public Hearing Required	☑ Yes	☐ NO		Date
Requires Advertisement?	☑ Yes	☐ NO	First Advertisement Second Advertisement	Date Date
Zoning Administrator	☐ Approved ☐ Disapproved ☐ Approved with conditions		FEE PAID	4/15/09

Signature (Zoning Administrator) Date

CERTIFICATE OF ZONING COMPLIANCE

The building, its proposed use, or the use of the land, as described in the above application and permit, complies with the provisions of Chapter 170 Land Development of the **CODE OF THE TOWN OF ELKTON** and any applicable conditions.

Signature (Zoning Administrator) Date

REMEMBER!!

Issuance of this permit does not mean work can begin. Permits must be obtained from the Rockingham County Building Official and possibly (depending on the scope of the work) the Virginia Department of Transportation (VDOT), the Virginia Department of Health (VDH) and/or the Department of Environmental Quality (DEQ). It is the responsibility of the owner/applicant to check with these agencies to insure all permits are obtained before beginning work.

Nov 24-2008

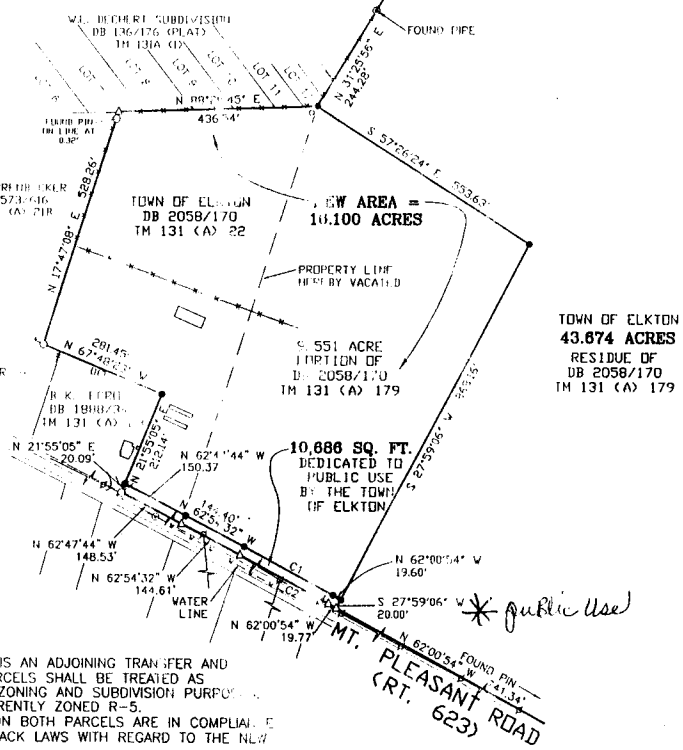
600' 400' 200' 0'

VA. STATE GRID NORTH

NOVEMBER 24, 2008
SCALE: 1"=200'

● = IRON PIN SET
O = FOUND IRON PIN
Δ = POINT
= FENCE
= OVERHEAD UTILITY LINE

VICINITY MAP 1"=2000'



* public Use

NOTES:
1) THIS CONVEYANCE IS AN ADJOINING TRANSFER AND THE COMBINED PARCELS SHALL BE TREATED AS ONE PARCEL FOR ZONING AND SUBDIVISION PURPOSES.
2) PARCELS ARE CURRENTLY ZONED R-5.
3) ALL STRUCTURES ON BOTH PARCELS ARE IN COMPLIANCE WITH COUNTY SETBACK LAWS WITH REGARD TO THE NEW PROPERTY LINES.
4) PARCELS ARE IN FLOOD ZONE X.
5) THIS SURVEY IS BASED ON A FIELD SURVEY BY BENNER AND ASSOCIATES, INC. IN OCTOBER 2005.

CURVE	RADIUS	ARC	CHORD	CHORD BEARING	DELTA	TANGENT
C1	14148.56'	220.98'	220.98'	S 62°27'43" E	0°53'42"	110.49'
C2	14128.56'	220.31'	220.31'	N 62°27'43" W	0°53'36"	110.16'

DIVISION SURVEY
ADJOINING LAND TRANSFER
OF THE TOWN OF ELKTON LANDS

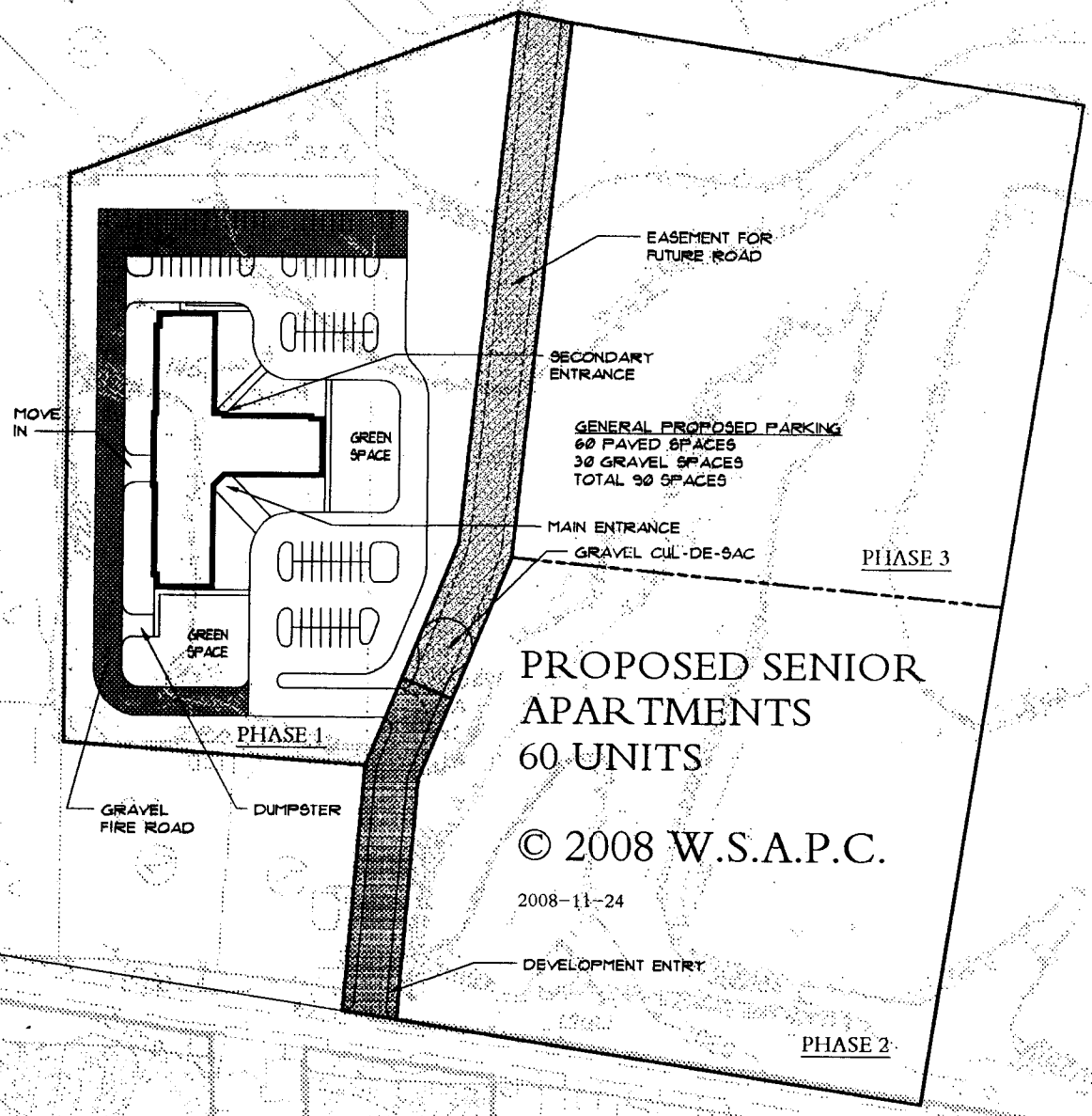
TOWN OF ELKTON & STONEWALL DISTRICT, ROCKINGHAM COUNTY, VIRGINIA

BENNER & ASSOC., INC.
8 PLEASANT HILL ROAD
HARRISONBURG, VA 22801
540 434-0267
REF# 031488
DRAWING: KITE-KOOGLER.DW.

COMMONWEALTH OF VIRGINIA
R. T. BENNER
LS NO.001526
11/24/08
LAND SURVEYOR

Attachment

TOTAL PROJECT AREA:	699,832.69 SQ. FT.	(16.1 AC. ±)
PHASE 1 AREA:	217,890.69 SQ. FT.	(5.0 AC. ±)
PHASE 2 & 3 AREA:	435,592.29 SQ. FT.	(10.0 AC. ±)
ROAD EASEMENT AREA:	46,349.71 SQ. FT.	(1.1 AC. ±)

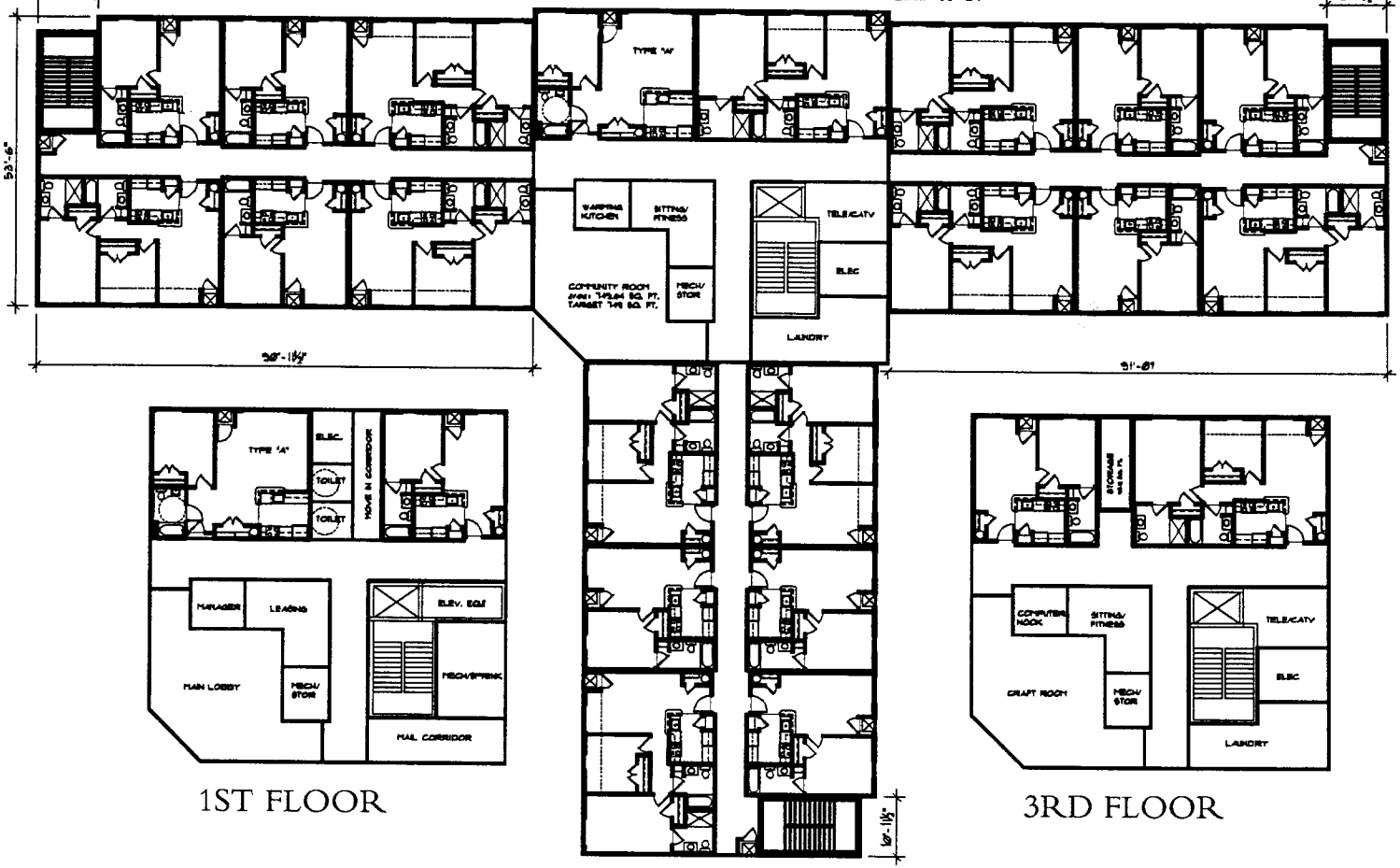


FLOOR PLATE: 18,689.7 SQ. FT.

PROPOSED SENIOR APARTMENTS
60 UNITS
© 2008 W.S.A.P.C.

2008-11-24

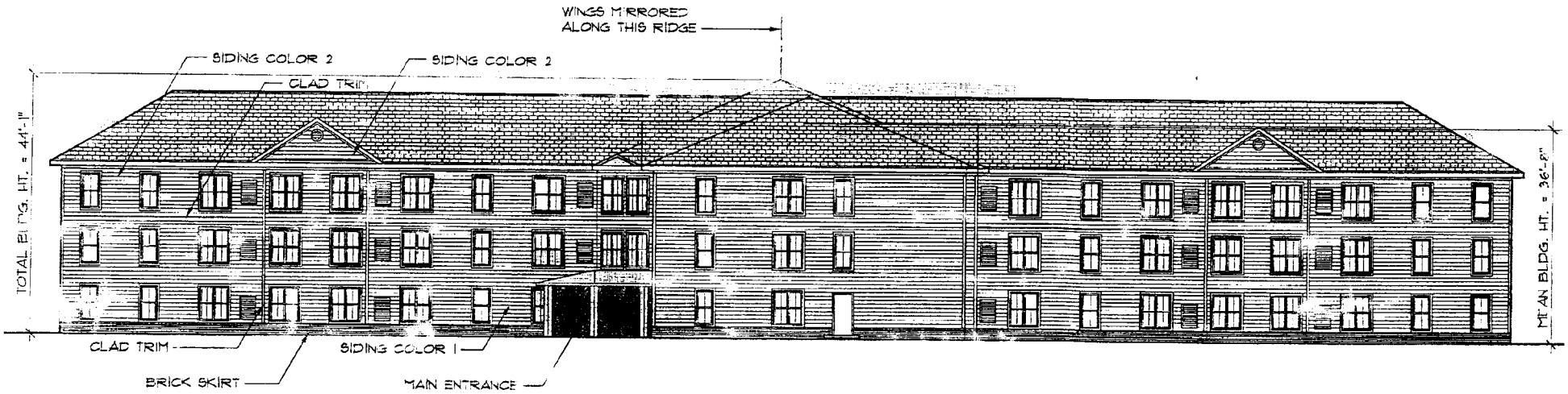
2ND FLOOR



1ST FLOOR

3RD FLOOR

Attachment



ELEVATION

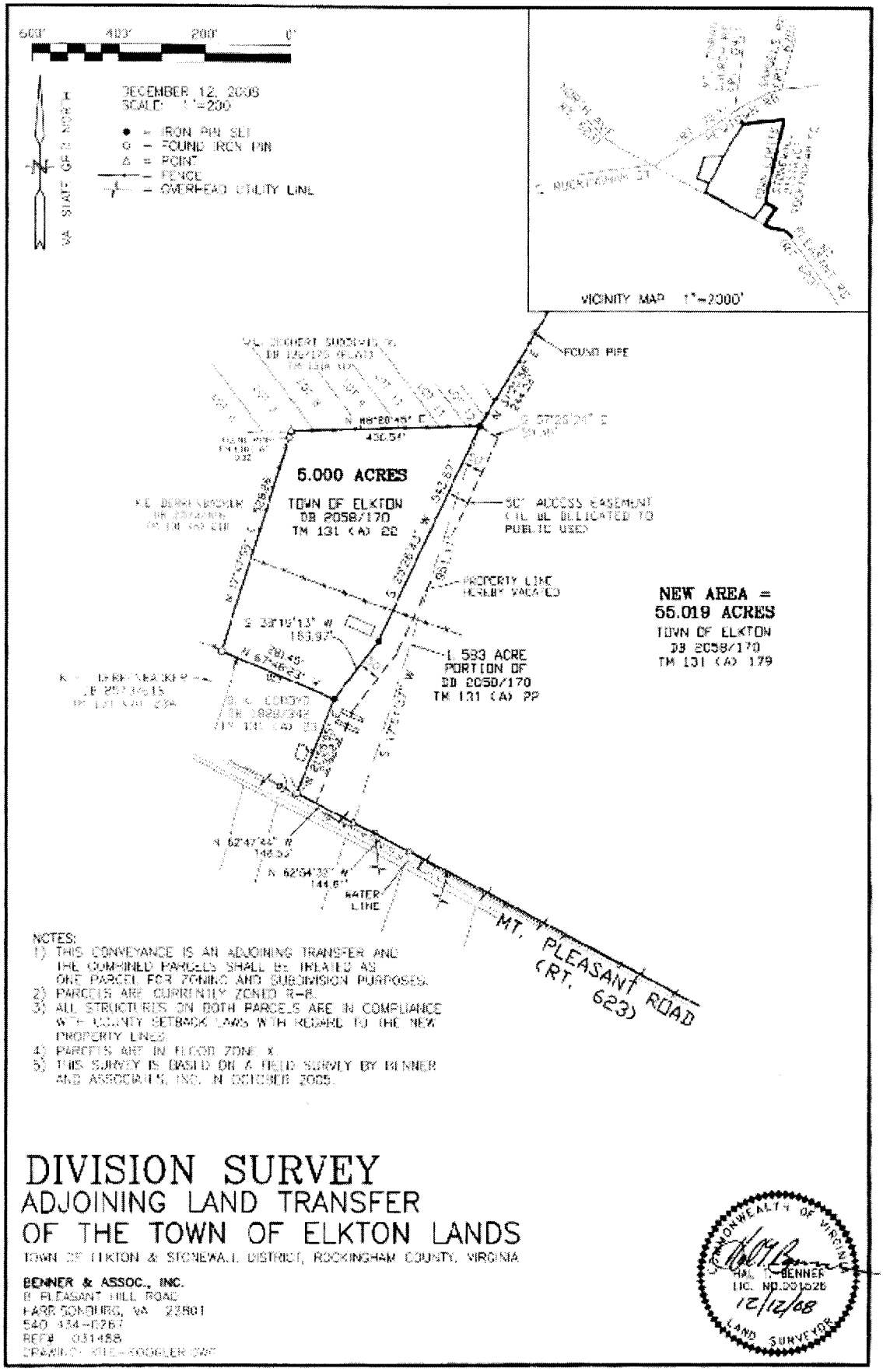
ELKLAND SENIOR APARTMENTS

11/26/08

© 2008 WINKS SNOWA ARCHITECTS – WSA PROJ. # 08–233

PLANNING COMMISSION

Dec 12 - 2008



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12/12/08
LAND SURVEYOR