Planning Commission

Meeting Minutes
August 3, 2010

Present:
Cole McGregor, Vic Corbo, Madelyn Dixon, , Goldie Helsley, Margretta Isom, Daniel Talbot
Administration: Lauri Sigler and Charlotte Shifflett
Excused:
Cathy Morrison
Guests:
Charles "Chuck" Berry, Mr./Mrs. Mel Kirkendall, Pat Grieser and Gene Kite

Dan Talbot/Chairman called the meeting to order at 7:00 pm. He began with the "Pledge of Allegiance".

Cole McGregor made a motion to accept the July minutes after several typing errors were corrected. The motion was seconded by Margretta Isom
Voice Vote 6-0 (yes)
Cole McGregor, Vic Corbo, Madelyn Dixon, Goldie Helsley, Margretta Isom, Daniel Talbot
Motion Carried

Joe/Lisa Gooden
A request to sub-divide a lot and make (2) existing lots on the corner of North/Hillside Avenue, was presented to members. Mr. Gooden noted he is in the R 4 zoning district and plans to place a duplex on the property as defined in the revised ordinance:
§ 110-606 Residential District 4
The following is to be added as a permitted use under sub-section B.
(-) Single family attached dwellings, provided that no more than two dwelling units shall be permitted in each single family attached dwelling.

Vic Corbo made a motion to recommend to Council that Tax Map 115E4-L 2, (zoned R 4) as shown on plat and drawn by Randell Newman, dated August 2, 2010; be sub divided into (2) separate lots. Goldie Helsley seconded the motion.
Voice Vote 6-0 (yes)
Cole McGregor, Vic Corbo, Madelyn Dixon, Goldie Helsley, Margretta Isom, Daniel Talbot
Motion Carried

Alley Closure:
Discussion:
- Elkton Police Chief submitted a letter confirming that the alley closure would not effect the department.
- Reid Wodicka, Town Manager submitted his findings, noting the alley closure would not effect the Town.
- Tim Turner/Public Works Director needs to investigate the alley closure and submit a letter from a utility point of view. In addition, he needs to pursue the issue regarding a culvert that exists on Park Avenue.
- Petitioners were encouraged to join the discussion and answer some questions:
  1) In the event the alley were to be closed would the back lots remain separate lots or would they be combined with the front lots?

2) If the back lots remain separate no future development will be allowed. Code requires residences to front on a public street. No street exists and the Town will not open a street.
3) On old Town maps Park Avenue was shown to run parallel behind the back lots but the GIS program shows Mary A Baugher owns the property that was once Park Avenue. and now identified as Tax Map # 131B3-(A)-L 5.
4) A title search may be required to determine the history of Park Avenue.

Opinions:

1) The Planning Commission will have no objections if Park Avenue proves to be non-existent.
2) Governing bodies shall need to be very careful with interpretations for future reference when permanent closures are requested.
3) Point three ---*Discuss your intent about dividing property among owners.*

Follow Up:

- Charlotte will follow up with the Public Works Director regarding alley closure vs. .utilities.
- Park Avenue may need a title search?
  1) Lauri Sigler/Town Attorney will speak with Reid Wodicka/Town Manager regarding a possible title search for Park Avenue.
- Mr. Berry inquired how value is determined? Several options are available:
  1) Appraisal
  2) Market value of land.
  3) Council negotiates the value with the buyer.
  4) The Planning Commission deals with the issue of land use only!
- All housing in the Town must front on a public street.
  1) In this case, if Park Avenue does not exist, then the front and back lots should be combined.
  2) The Commission may not approve land-locked lots.
  3) Members need to be aware the decision may be scrutinized by other residents. The alley and/or street closures tend to be very touchy issues so we need to be specific how the Town interprets the message.

Comprehensive Plan Review:

Charlotte accepted the responsibility at last month's meeting to gather information regarding the number of dwellings, apartment units, duplexes, and estimated growth of each item in each zoning district. This plan was originally implemented to gather information to present to Council as reasoning behind the recommendation *not to rezone* Didi Hensley property located on E Summit Ave from R 2 to R 4.

Dan Talbot/Chairperson issued each member a form "2010 Zoning Review for the Town of Elkton" identified as Attachment II and dated August 3, 2010. Any information compiled for this project will be used as material to revise the existing Comprehensive Plan in 2011.

- Proposed Outline
  1) Transfer data from excel spreadsheet into the new form.
  2) Break out where we currently stand.
- Structures in all zonings:
  1) Percentage of non-conforming
  2) Percentage occupied by owner.
  3) Percentage occupied by renters vs homeowners.
  4) Estimate how many buildable lots remain in each zoning district.

- R 8 Zoning
  1) R 8 zoned as R 3
  2) R 8 zoned as R 5

  Proposed Master Plans: Elkwood, Dominion Ridge , and Senior Housing by Koogler

It was also noted that assembling the information could be time consuming so Charlotte may need some volunteers to assist with details. The Central Shenandoah Valley Planning District may be able to provide some data via the website.

East Washington Street Rezoning:
Dan Talbot visited several residents in the area of proposed rezoning on E Washington St. He talked to several people who had signed the petition distributed by Didi Hensley. At least one petitioner noted that he was asked if he objected to Mr. Hensley building a new house on the lot in question. He did not read the petition before placing his signature on the paper. This brings us back to the question as to whether neighbors clearly understand the question when approached and asked for a signature. This issue will be continued to be pursued.

W Summit Property:
Mr. Wood has passed away and his Executrix contacted Charlotte/Zoning Administrator to inquire if livestock would be allowed to be kept on the property when it is sold?

- If 2 years has not passed, without livestock occupying the lot, it will still be permitted.

Path forwards:
• Signs
  Read and make comments about proposed revisions.
• Revise R-8 code
  Phasing Development
  Include TIA study for developers
  - Trigger point is rezoning requests.
  - Another trigger point is sub-division request
  - Any VDOT routes involved such as Rt 33 and/or Rt 340.

Public Hearing August 10, 2010 6:00 pm

With the conclusion of business, the meeting adjourned. The next regular meeting is scheduled for September 7, 2010.

Chairman/Dan Talbot

Secretary/Cathy Morrison

passed Sept. 7 - 2010