Regular Meeting
September 29, 2015
7:00 PM

The regular meeting of the Elkton Planning Commission was held at approximately 7:00 pm in the Council Chambers at the Elkton Area Community with Chairman/ Dan Talbot presiding.

All present were asked to join in the Pledge of Allegiance

Present: Cole McGregor, Dan Talbot, Robert Morris Sr., Margaretta Isom, Mike Sipe, Roy Gene Davis
Excused: Cathy Morrison,
Staff: Charlotte Shifflett
Guest: Kris Robinson

Minutes:
Cole McGregor made a motion to accept the Aug 3, 2015 minutes, with a second by Mike Sipe
Voice Vote 6-0
Cole McGregor, Dan Talbot, Robert Morris Sr., Margaretta Isom, Mike Sipe, Roy Davis
Motion Carried

Roy Davis made a motion to accept the Public Hearing minutes from August 3, 2015, seconded by Cole McGregor.
Voice Vote 6-0
Cole McGregor, Dan Talbot, Robert Morris Sr., Margaretta Isom, Mike Sipe, Roy Davis
Motion Carried

New Business:
The first item on the agenda was sale of town property to Nicholas Campbell, 327 W Prospect Ave. Chair Talbot asked Margaretta Isom to walk the members thru the request and process.

Per a request from the Town Manager- a recommendation is needed to convey a portion of Tax Map 131B3-(A) Lot 9 to Nicholas Campbell. 327 W Prospect Ave., Elkton, VA; with the town reserving access and utility easement within the area to be transferred. This will be assured by having the potential buyer place an eight ft gate on each side of the boundary lines of the property.

It was noted that Mr. Campbell has approached the council several times since 2007 and requested to purchase the property from the town, which was incorrectly described as an alley which runs from 6th St to the western boundary line of Tax Map 131B3-(A) L 9. The Zoning Administrator and the Town Attorney determined the 20 ft. strip being discussed is not (nor has ever been) an alley.

It was mentioned that other adjacent landowners along the boundary line may request to purchase their portion of the strip. Therefore, Mr. Campbell's original request to buy the entire strip running from 6th St to western boundary line of Tax Map 131B3-(A) L 9 will not be entertained.

A brief discussion occurred regarding the description of the request. This process is a subdivision of town property Tax Map 131B3-(A) L 9 and does not create any non-compliant lots. Planning Commission's recommendation to sub-divide the lot does not require a joint public hearing. The final decision is determined by Council approval following their public hearing.

After researching the code Chairman Talbot, with the consensus of other members, felt it best fits **§ 110-910 Lot line revisions and vacations**. {A} Newman Surveying plat dated Sep. 8, 2015 displays a vacated lot line but a separate zoning application needs to be submitted to the Zoning Administrator, after the public hearing on a lot line revision is held, in order to complete the plat for recordation.

Margaretta Isom made a motion that the Planning Commission is making a recommendation to Elkton Town Council to approve a Lot Line Revision to incorporate 1980 sq. ft. from 131B3- (A) Lot 9 to 131B3-(8)- Lot J1as displayed on a survey by Randall K Newman dated September 9, 2015; pending sale of said property to Nicholas Campbell.

Voice Vote 6-0
Cole McGregor, Dan Talbot, Robert Morris Sr., Margaretta Isom, Mike Sipe, Roy Davis
Motion Carried

Kris Robinson/Developer
Review a plan presented by Kris Robinson for Newtown Rd property, a portion of Tax Map 131-A-L 19. He is requesting to rezone the parcel from R 2 to R 4.
Members reviewed a concept subdivision plan, with site statistics, as drawn by Basil Hamrick of Hamrick Engineering.

Roy Davis is listed as the Lead Member for this category and took over the discussion.

- Mr. Davis asked Mr. Robinson if he is the sole developer to which he replied, "Yes".
- Is this road above the cemetery? He once again replied, "Yes".
- The concept plan presented at the August meeting displayed 44 lots. The new concept plan presented tonight contains 65 lots.
- Sewer connections will be a big factor when reviewing this request.
- A 2005 Annexation agreement obligation has not been met in the Newtown area. The promised 5 years is long overdue.
- A question asked Mr. Robinson what was the reasoning behind the increase of the number of lots?
- The Requestor felt it is not feasible to begin the sub division with 44 lots due to costs involved.
  - = Mr. Robinson built and sold 4 homes in Woodbridge Subdivision in the last year at an average cost of $292,000 each.
  - = His vision is to provide affordable homes. If the property were to be rezoned to R 4 the minimum lots sizes would be 6,250 sq. ft. He would like to mix larger lots to the outside with smaller homes to be built to the center.
  - = Roads would need to be developed.
  - = His intent is to divide development into 3 phases.
  - = The open space remaining would be green space.

- Chairman Talbot was curious why the developer chose R 4 zoning instead of R 3? He went on to note that minimum lot sizes in the R 3 district are 10,000 sq. ft. He assumes the plan would include approximately 50 lots if R 3 zoning was implemented.
- Mr. Robinson emphasized that 50 lots did not work as well with the layout.
- The base cost per lot would fall between $37,000 and $ 40,000.
- The revised Comprehensive Plan is in favor of more single family dwellings. The ratio for the higher density dwellings and units exceeds our goal of 12 %. The Planning Commission deliberated long and hard after annexation and decided R 2 zoning is a better fit because of surrounding lots. This property is a good fit for R 2 zoning.
- The purpose of R 2 and R3 is to build single family homes. The single family dwellings in R 3 would most likely remain below the cost of a home constructed in R 2.
- Mr. Robinson reiterated he is committed to construction of single family affordable homes. He predicts the sale prices of the homes to fall between $195,000 and $ 220.000.
- Chairman Talbot continued the conversation by pointing out the following:
  - = Rezoning approval would include approval of the appropriate density.
  - = Once the Master Plan is filed it would not change. For instance, the Downey Knolls Subdivision can't change its' plat without coming back to the Planning Commission.
  - = Approval of density will be considered in conjunction with sewer capacity.
  - = Relative to the rezoning request would you, as the developer, help run the sewer line as a proffer to the town?
  - = Would you back out at the final costs to run the line? Yours is a unique situation the since developer normally pays the cost to bring the line to the property.
  - = Are you going to proffer anything? Mr. Robinson replied, "No, not at this point".
- Mr. Davis rejoined the conversation by questioning when do you anticipate construction of the first home if this request passes? Mr. Robinson responded by noting he expected to have the first home under construction within 7 months. It would probably take 6 years to reach the maximum of 65 homes. At some point we will need increased capacity.
- Dan Talbot explained the Planning Commission's function is to decide the correct use of the land. Another governing body controls what happens at the waste treatment facility. Other site plans have been approved and a lot of them still exist. How many have been submitted already and are in process of approval? You are requesting 20 additional lots.
- Mr. Morris took the opportunity to ask why the lots adjacent to the back property line are larger than the lots near Newtown Rd? He would like to know why? He lives in the proposed area and wonders why the small lots seem to be nearest his dwelling.
- Mr. Robinson noted these are near the cul-de-sac and tend to run smaller.
- Mr. Morris is bothered that the small lots join his land. The proposed site is wet land and the layout bothers him. Mr. Morris continued by expressing that his lot is 100 ft. wide.
- Mr. Robinson acknowledged his smallest lots meet the 6,250 minimum sq. footage but are at least 60 ft wide, which is wider than required frontage of 50 ft.
- The developer relayed his concerns of costs for storm water drains. Under new requirements the governing body believes retention ponds are not the solution to drainage issues.
- Chairman Talbot reminded him the street, sidewalks on one side, plus curb and guttering is a huge expense.
- If this project is approved it will be the first sub division to meet new laws and criteria for storm water management.
- Members were informed that local people want lower range pricing when purchasing a home. He has the property under contract pending the outcome of the rezoning request.
- Roy Davis continued the discussion by inquiring if the construction might begin next year.
- Mr. Morris has concerns about plans to protect current land owners from water run-off.
- Chairman Talbot moved the meeting along by advising members he is looking for a motion to recommend a public hearing to rezone from R 2 to R 4.
- Margaretta Isom feels like Mr. Robinson should lose several lots and accommodate the idea of rezoning as R 3.
- Cole McGregor was curious why the Planning Commission is discussing sewer capacity issues.

- Chairman Talbot wants to provide information according to a Housing Inventory Survey included in the current Comprehensive Plan. The commission needs to check into creating buffers for the proposed sub division.
- Actually, Mr. Robinson has plans to create a buffer between the land and the cemetery, possibly trees.
- Member Mike Sipe has an issue with the possibility of the lack of available sewer connections as well as the high density zoning district being requested.
- Chairman Talbot moved forward and advised members they must make a decision regarding scheduling of a public hearing to receive citizen comments. "If we want to rezone the property we hold a public hearing to see how neighbors perceive this request. In good faith, if we don't vote for a public hearing is there a compromise?"
- Mike Sipe noted that an R 3 zoning would yield about 50 homes vs. an R 4 which would have approximately 65 homes.
- Chairman Talbot expressed the fact that R 3 would place the number of homes between 44 and 65. Prospective wise, the Planning Commission is supposed to be interested in appropriate use. Vacant fields should not be lying in the middle of town or in town limits. Someday—somebody will build!
- After no one made a motion to schedule a public hearing Mr. Davis asked Mr. Robinson if he would consider requesting an R 3 zoning?
- Mr. Robinson pondered the question before answering "Yes, I would be willing to return to the drawing board".
- Mike Sipe reiterated he would be happy if the number of homes hit the middle number of approximately 50.
- The members were in agreement with the Chairman that R 3 zoning district is doable and would still contain nice building lots. Most members were uncomfortable with the high density that comes with the R 4 zoning and, therefore, hesitated to move forward with scheduling a public hearing.
- Since the Planning Commission did not arrive at a decision to schedule a public hearing and must wait on a new concept plan from Mr. Robinson, any fees collected from him (if any) in advance of tonight's meeting should be reimbursed. We look forward to reviewing a new plan at a later date.

Warren Street Permanent Closure

Town Manager/Kevin Whitfield submitted a request, on behalf of the town, to permanently close a section of undeveloped Warren Street and donate the approximately 0.399 +/- acres to United Methodist Church. History records show land was donated to the town, by the UMC, to extend Warren Street. An adjacent owner has expressed an interest to purchase the portion of the street along his boundary line. If this transfer succeeds the church will receive 8168.7 sq. ft. and the remaining portion containing 9199.0 sq ft will be offered to the other party per code.

Chairman Talbot shared a document *CHECKLIST FOR PERMANENT STREET CLOSURE.* Charlotte saw a need for a step by step document to simplify this process and about 5 years ago she typed up an example using § 143-7 as her guide. This form lists criteria and data needed before a permanent street and/or alley closure may be accomplished. Hopefully, this form will eliminate a lot of questions in the future.

Cole McGregor made a motion to recommend a Public Hearing be scheduled to receive comments regarding the proposed closure of an undeveloped portion of Warren St lying between Warren St. and N Terrace Ave., being a strip of land containing 17,368 sq. ft. Section 3, Elkton, Virginia. The motion was seconded by Margaretta Isom.

Voice Vote yes 6-0

Cole McGregor, Dan Talbot, Robert Morris Sr., Margaretta Isom, Mike Sipe, Roy Gene Davis

Motion Carried

Category	Lead member
Residential 1-4, flood hazard, Yard Sales	*Roy Davis*
Residential 5-6 (includes: Townhouse & Apts.)Agriculture	*Dan Talbot*
Residential 7-8, and Conservation	*Michael Sipe*

Business, Industrial. Telecommunications	*Cathy Morrison*
Subdivisions	*Margretta Isom*
Signs, Parking, Definitions, Streets and Alleys	*Cole McGregor*
Zoning Map, Annexation, Home Occupations, Non-conforming Uses, Fences and Exceptions	*Robert Morris*

Please reference the above table when you receive your agenda each month. Match up your category and be prepared to lead a group discussion on your selected subject if it appears on the agenda.

2015 Zoning Permits Issued YTD

Month	*Bus*	*Res*	*Singe Family*	*(duplex) single family attached*	*Incomplete*
January	2	2	1	1	
February	2	4			
March	2	5	1	1	
April	1	4		4 units	
May	2	9			
June	2	9			
July	2	5	1		
August	3	5			
September					
October					
November					
December					
YTD					

There will be no meeting on Oct. 6, 2015. The next meeting is scheduled for a joint public hearing to be held Oct. 19, 2015 @ 6:45 pm in Council Chambers located at the Elkton Area Community Center on 10593 Blue & Gold Dr. in Elkton, VA. If a cancellation occurs you will be notified at least 48 hours prior to the meeting as written in By-Laws, Article VII 7-3.

Dan Talbot/Chairman

Cathy Morrison/Secretary